

**CITY OF BALTIMORE**  
**COUNCIL BILL 25-0080**  
**(First Reader)**

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Introduced by: Councilmember Ramos

Cosponsored by: Councilmembers Conway, Parker, Gray, Bullock, Jones, Torrence, and  
Blanchard, and President Cohen

Introduced and read first time: July 21, 2025

Assigned to: Housing and Economic Development Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of  
Housing and Community Development, Department of Real Estate, Circuit Court for Baltimore  
City, Baltimore City Information Technology

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **In Rem Foreclosure – Vacant Structures and Nuisance Properties**

3 FOR the purpose of authorizing certain property located in Baltimore City identified as a vacant  
4 structure or nuisance property under the Baltimore City Building Code to be subject to a  
5 certain in rem foreclosure process; requiring certain procedures for an in rem foreclosure;  
6 requiring the City to take certain actions to compensate the interested parties in property that  
7 is acquired through an in rem foreclosure; specifying the circumstances under which an in  
8 rem foreclosure judgement may be reopened; making conforming changes; defining certain  
9 terms; and generally relating to in rem foreclosure of vacant property in Baltimore City.

10 BY repealing and re-ordaining, with amendments

11 Article 28 - Taxes  
12 Sections 8.1-2, and 8.1-7(c)  
13 Baltimore City Code  
14 (Edition 2000)

15 BY adding

16 Article 28 - Taxes  
17 Sections 8.2-1 to 8.2-14, to be under the new subtitle designation,  
18 “Subtitle 8.2-1. In Rem Foreclosure – Vacant Structure or Nuisance Property  
19 Baltimore City Code  
20 (Edition 2000)

21 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
22 Laws of Baltimore City read as follows:

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

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**Baltimore City Code**

**Article 28. Taxes**

**Subtitle 8.1. In Rem Foreclosure – Vacant and  
Abandoned Property**

**§ 8.1-2. Authorization.**

In accordance with State Tax-Property Article §§ 14-873 through 14-876 the Mayor and City Council [is] ARE authorized to subject certain property to judicial in rem foreclosure and sale.

**§ 8.1-7. Complaint.**

*(c) Contents.*

A complaint filed under this section shall include:

(1) THE NAME AND ADDRESS OF THE CITY AGENCY ADMINISTERING THE IN REM FORECLOSURE ACTION;

(2) [(1)] a description of the property as it appears in City land records;

(3) [(2)] the tax identification number of the property;

(4) [(3)] a statement that taxes for the property are delinquent at the time of filing;

(5) [(4)] the amount of taxes that are delinquent for the property at the time of filing;

(6) [(5)] the names and last known addresses of all interested parties to the property and, if applicable, a statement that the address of a particular interested party to the property is unknown;

(7) [(6)] a statement that the property is either:

(i) a vacant lot; or

(ii) an improved property cited by the Department as vacant and unsafe or unfit for habitation or another authorized use;

(8) [(7)] if the Department states that the property is an improved property cited by the Department as vacant and unsafe, or unfit for habitation or another authorized use, a copy of any relevant notices or citations issued by the Department;

(9) [(8)] a request that the Circuit Court not schedule a hearing on the complaint until 30 days after the date that the complaint has been filed; and

(10) [(9)] a request that the Circuit Court enter a judgment that:

(i) forecloses the existing interests of all interested parties to the property; and

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(ii) orders ownership of the property to be transferred to the City.

**SUBTITLE 8.2. IN REM FORECLOSURE – VACANT STRUCTURE OR NUISANCE PROPERTY**

**§ 8.2-1. DEFINITIONS.**

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *DEPARTMENT.*

(1) *IN GENERAL.*

“DEPARTMENT” MEANS THE BALTIMORE CITY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

(2) *INCLUSION.*

“DEPARTMENT” INCLUDES ANY ATTORNEY REPRESENTING THE DEPARTMENT IN AN ACTION FILED UNDER THIS SUBTITLE.

(C) *INTERESTED PARTY.*

“INTERESTED PARTY” HAS THE MEANING STATED IN § 14-894 {“BALTIMORE CITY JUDICIAL IN REM FORECLOSURE FOR VACANT OR VACANT PROPERTY”} OF THE STATE TAX-PROPERTY ARTICLE.

(D) *NUISANCE PROPERTY.*

“NUISANCE PROPERTY” HAS THE MEANING STATED IN § 116.4.1.3 OF THE BALTIMORE CITY BUILDING CODE.

(E) *REAL PROPERTY.*

“REAL PROPERTY” HAS THE MEANING STATED IN § 1-101(GG)) {“DEFINITIONS: REAL PROPERTY”} OF THE STATE TAX-PROPERTY ARTICLE.

(F) *TAX.*

“TAX” HAS THE MEANING STATED IN § 14-801(D) {“DEFINITIONS: TAX”} OF THE STATE TAX-PROPERTY ARTICLE.

(G) *VACANT STRUCTURE.*

“VACANT STRUCTURE” HAS THE MEANING STATED IN § 116.4.1.2 OF THE BALTIMORE CITY BUILDING CODE.

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(H) *VALUE*.

“VALUE” HAS THE MEANING STATED IN § 14-894(A)(5) {“BALTIMORE CITY JUDICIAL IN REM FORECLOSURE FOR VACANT OR NUISANCE PROPERTY”} OF THE STATE TAX-PROPERTY ARTICLE.

**§ 8.2-2. AUTHORIZATION.**

IN ACCORDANCE WITH STATE TAX-PROPERTY ARTICLE § 14-894, THE MAYOR AND CITY COUNCIL IS AUTHORIZED TO SUBJECT CERTAIN REAL PROPERTY TO JUDICIAL IN REM FORECLOSURE AND SALE.

**§ 8.2-3. MAYOR AND CITY COUNCIL MAY INITIATE ACTION; APPLICABLE PROPERTIES.**

(A) *IN GENERAL*.

IN ACCORDANCE WITH THIS SUBTITLE, THE MAYOR AND CITY COUNCIL MAY FILE AN ACTION IN THE CIRCUIT COURT FOR BALTIMORE CITY FOR THE IN REM FORECLOSURE OF REAL PROPERTY.

(B) *APPLICABLE PROPERTIES*.

EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, TO BE SUBJECT TO AN ACTION FOR FORECLOSURE UNDER THIS SUBTITLE:

(1) THE REAL PROPERTY SHALL BE A VACANT STRUCTURE OR NUISANCE PROPERTY;

(2) THE REAL PROPERTY SHALL BE AT LEAST 6 MONTHS IN ARREARS ON TAXES; AND

(3) THE RIGHT TO APPEAL ANY NOTICE OF THE REAL PROPERTY AS A VACANT STRUCTURE OR NUISANCE PROPERTY HAS TOLLED.

(C) *OTHER TAX LIENS*.

(1) *IN GENERAL*.

THE MAYOR AND CITY COUNCIL MAY NOT FILE AN ACTION FOR FORECLOSURE AGAINST REAL PROPERTY UNDER THIS SUBTITLE IF THE REAL PROPERTY IS SUBJECT TO AN ACTIVE LIEN CERTIFICATE HELD BY A THIRD PARTY.

(2) *EXCEPTION*.

PROVIDED THAT THE REAL PROPERTY OTHERWISE MEETS THE REQUIREMENTS SET FORTH IN SUBSECTION (B) OF THIS SECTION, THE MAYOR AND CITY COUNCIL MAY FILE AN ACTION FOR FORECLOSURE AGAINST REAL PROPERTY UNDER THIS SUBTITLE IF:

(I) THE REAL PROPERTY IS SUBJECT TO AN ACTIVE TAX CERTIFICATE HELD BY THE MAYOR AND CITY COUNCIL; AND

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(II) THE MAYOR AND CITY COUNCIL HAVE NOT PREVIOUSLY FILED AN ACTION TO  
FORECLOSE THE RIGHT OF REDEMPTION.

**§ 8.2-4. RULES AND REGULATIONS.**

SUBJECT TO TITLE 4 {"ADMINISTRATIVE PROCEDURE ACT – REGULATIONS"} OF THE CITY  
GENERAL PROVISIONS ARTICLE, THE COMMISSIONER OF HOUSING AND COMMUNITY  
DEVELOPMENT MAY ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE.

**§ 8.2-5. COMPLAINT.**

(A) *PRE-COMPLAINT NOTICE.*

(1) *IN GENERAL.*

PRIOR TO FILING A COMPLAINT UNDER THIS SUBTITLE, THE MAYOR AND CITY  
COUNCIL SHALL SEND NOTICE BY CERTIFIED MAIL, RESTRICTED DELIVERY, RETURN  
RECEIPT REQUESTED, TO THE RECORD OWNER OF THE SUBJECT REAL PROPERTY AT THE  
TAX ADDRESS ON RECORD AMONG THE CITY'S REAL PROPERTY RECORDS.

(2) *CONTENTS.*

THE NOTICE REQUIRED BY THIS SUBSECTION SHALL:

(I) CLEARLY IDENTIFY THE REAL PROPERTY;

(II) IDENTIFY THE AMOUNT OF DELINQUENT TAXES DUE TO THE MAYOR AND CITY  
COUNCIL; AND

(III) STATE THAT UNLESS FULL PAYMENT OF ALL DELINQUENT TAXES IS MADE TO  
THE DEPARTMENT OF FINANCE WITHIN 30 DAYS, THE MAYOR  
AND CITY COUNCIL MAY FILE AN IN REM FORECLOSURE ACTION IN THE  
CIRCUIT COURT FOR BALTIMORE CITY AND SEEK THE VESTING OF TITLE TO  
THE REAL PROPERTY IN THE MAYOR AND CITY COUNCIL OF BALTIMORE.

(B) *IN GENERAL.*

THE MAYOR AND CITY COUNCIL MAY FILE A COMPLAINT IN THE CIRCUIT COURT FOR  
BALTIMORE CITY TO INITIATE AN IN REM FORECLOSURE ACTION IF:

(1) THE REAL PROPERTY OTHERWISE MEETS THE SPECIFICATIONS IN § 8.2-3(B)  
{"APPLICABLE PROPERTIES"} OF THIS SUBTITLE;

(2) THE MAYOR AND CITY COUNCIL HAVE SENT THE NOTICE REQUIRED BY  
SUBSECTION (A) OF THIS SECTION; AND

(3) THE FULL PAYMENT OF DELINQUENT TAXES HAS NOT BEEN PAID WITHIN 30 DAYS  
FROM THE DATE THE NOTICE DESCRIBED IN SUBSECTION (A) OF THIS SECTION WAS  
SENT.

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### (C) *CONTENTS.*

A COMPLAINT FILED UNDER THIS SECTION SHALL INCLUDE:

- (1) THE NAME AND ADDRESS OF THE CITY AGENCY ADMINISTERING THE IN REM FORECLOSURE ACTION;
- (2) A DESCRIPTION OF THE REAL PROPERTY AS IT APPEARS IN CITY LAND RECORDS;
- (3) THE TAX IDENTIFICATION NUMBER OF THE REAL PROPERTY;
- (4) A STATEMENT THAT TAXES FOR THE REAL PROPERTY ARE DELINQUENT AT THE TIME OF FILING;
- (5) THE AMOUNT OF TAXES THAT ARE DELINQUENT FOR THE REAL PROPERTY AT THE TIME OF FILING;
- (6) THE NAMES AND LAST KNOWN ADDRESSES OF ALL INTERESTED PARTIES TO THE REAL PROPERTY AND, IF APPLICABLE, A STATEMENT THAT THE ADDRESS OF A PARTICULAR INTERESTED PARTY TO THE REAL PROPERTY IS UNKNOWN;
- (7) A STATEMENT THAT THE REAL PROPERTY IS A VACANT STRUCTURE OR NUISANCE PROPERTY;
- (8) A COPY OF ANY NOTICES OR CITATIONS ISSUED BY THE MAYOR AND CITY COUNCIL RELEVANT TO THE REAL PROPERTY'S DESIGNATION AS A VACANT STRUCTURE OR NUISANCE PROPERTY; AND
- (9) A REQUEST THAT THE CIRCUIT COURT ENTER A JUDGMENT THAT:
  - (I) FORECLOSES THE EXISTING INTERESTS OF ALL INTERESTED PARTIES TO THE REAL PROPERTY; AND
  - (II) ORDERS OWNERSHIP OF THE REAL PROPERTY TO BE TRANSFERRED TO THE CITY.

### (D) *AMENDMENT.*

A COMPLAINT FILED UNDER THIS SECTION MAY BE AMENDED TO INCLUDE ALL TAXES THAT BECOME DELINQUENT AFTER THE COMMENCEMENT OF THE IN REM FORECLOSURE ACTION.

### (E) *CURE.*

- (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN INTERESTED PARTY MAY CURE THE DELINQUENT TAXES ON THE REAL PROPERTY BY PAYING ALL PAST DUE TAXES AT ANY TIME PRIOR TO THE ENTRY OF THE FORECLOSURE JUDGMENT.
- (2) AN INTERESTED PARTY MAY NOT CURE THE DELINQUENT TAXES ON A REAL PROPERTY AFTER THE ENTRY OF A FORECLOSURE JUDGMENT.

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(F) *HEARING DATE.*

SECTION 14-894(I) {"BALTIMORE CITY JUDICIAL IN REM FORECLOSURE FOR VACANT OR NUISANCE PROPERTY"} OF THE STATE TAX-PROPERTY ARTICLE PROHIBITS THE CIRCUIT COURT FROM SETTING A HEARING FOR AN IN REM FORECLOSURE UNTIL 30 DAYS AFTER A COMPLAINT FOR AN IN REM FORECLOSURE IS FILED.

**§ 8.2-6. DEFENDANTS; SERVICE OF PROCESS.**

(A) *IN GENERAL.*

EACH INTERESTED PARTY TO THE REAL PROPERTY SHALL BE NAMED AS A DEFENDANT IN THE COMPLAINT AND SHALL BE IDENTIFIED, LOCATED, AND SERVED WITH PROCESS AS SPECIFIED IN THIS SECTION.

(B) *LAST KNOWN ADDRESS.*

(1) THE TITLE OF THE COMPLAINT SHALL DISPLAY THE LAST KNOWN ADDRESS OF EACH DEFENDANT, AS OBTAINED FROM:

(I) ANY RECORD EXAMINED AS PART OF THE TITLE EXAMINATION FOR THE REAL PROPERTY;

(II) THE TAX ROLLS OF THE DEPARTMENT OF FINANCE AND, IF DIFFERENT FROM THE DEPARTMENT OF FINANCE'S TAX ROLLS, THE TAX ADDRESS ON FILE WITH THE MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION; AND

(III) ANY OTHER LIKELY ADDRESS THAT IS KNOWN TO THE MAYOR AND CITY COUNCIL.

(2) OTHER THAN THE METHODS DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE MAYOR AND CITY COUNCIL ARE NOT REQUIRED TO CONDUCT ANY FURTHER INVESTIGATIONS OR TO SEARCH ANY ADDITIONAL RECORD TO ASCERTAIN AN ADDRESS FOR A DEFENDANT.

(C) *UNKNOWN OWNERS.*

(1) *"OWNER" DEFINED.*

IN THIS SUBSECTION, "OWNER" MEANS THE OWNER OF THE FEE SIMPLE, LEASEHOLD, OR REVERSIONARY INTEREST IN A REAL PROPERTY.

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1           (2) *IN GENERAL.*

2           WHEN THE OWNER OF A REAL PROPERTY CANNOT BE REASONABLY ASCERTAINED:

3           (I) THE UNKNOWN OWNER OF THE REAL PROPERTY MAY BE INCLUDED AS A  
4           DEFENDANT IN THE COMPLAINT BY THE FOLLOWING DESIGNATION:

5           “UNKNOWN OWNER OF (IDENTIFY THE NATURE OF THE INTEREST: FEE SIMPLE,  
6           LEASEHOLD, OR REVERSIONARY) INTEREST IN THE REAL PROPERTY . . . (GIVING  
7           A DESCRIPTION OF THE REAL PROPERTY IN SUBSTANTIALLY THE SAME FORM AS  
8           THE DESCRIPTION THAT APPEARS ON THE PRE-COMPLAINT NOTICE), THE  
9           UNKNOWN OWNER’S HEIRS, DEVISEES, AND PERSONAL REPRESENTATIVES AND  
10          THEIR OR ANY OF THEIR HEIRS, DEVISEES, EXECUTORS, ADMINISTRATORS,  
11          GRANTEES, ASSIGNS, OR SUCCESSORS IN RIGHT, TITLE, AND INTEREST (THE  
12          “UNKNOWN OWNER”); AND

13          (II) THE UNKNOWN OWNER SHALL BE REFERRED TO THROUGHOUT THE  
14          PROCEEDINGS USING THIS DESIGNATION; AND

15          (III) THE PROCEEDINGS SHALL CONTINUE AGAINST THE UNKNOWN OWNER BY  
16          PUBLICATION UNDER ORDER OF THE COURT AS PROVIDED IN SUBSECTION (E)  
17          OF THIS SECTION.

18          (3) *RECORDS SEARCH REQUIRED.*

19          FOR THE MAYOR AND CITY COUNCIL TO DESIGNATE A DEFENDANT AS DESCRIBED IN  
20          PARAGRAPH (2) OF THIS SUBSECTION, IMMEDIATELY BEFORE THE FILING OF THE  
21          COMPLAINT, THE MAYOR AND CITY COUNCIL SHALL PERFORM A FULL TITLE RECORDS  
22          SEARCH CONSISTING OF AT LEAST 50 YEARS IN ACCORDANCE WITH GENERALLY  
23          ACCEPTED STANDARDS FOR TITLE EXAMINATION.

24          (4) *AFFIDAVIT.*

25          ANY COMPLAINT FILED UNDER THIS SUBTITLE AGAINST AN UNKNOWN OWNER SHALL  
26          ATTACH TO IT AN AFFIDAVIT BY THE INDIVIDUAL PERFORMING THE SEARCH DESCRIBED  
27          IN PARAGRAPH (3) OF THIS SUBSECTION THAT ATTESTS TO THE INDIVIDUAL’S EFFORTS.

28          (D) *SUMMONS.*

29               (1) *IN GENERAL.*

30          ON FILING OF A COMPLAINT UNDER THIS SUBTITLE AND IN ACCORDANCE WITH THE  
31          MARYLAND RULES, THE CIRCUIT COURT SHALL ISSUE A SUMMONS TO PROCURE THE  
32          ANSWER AND THE APPEARANCE OF ALL DEFENDANTS.



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1           (2) *SERVICE OF SUMMONS.*

2           TO THE EXTENT PRACTICABLE AND EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,  
3           THE SUMMONS REQUIRED BY THIS SECTION SHALL BE SERVED ON DEFENDANTS IN THE  
4           MANNER DESCRIBED IN TITLE 14, SUBTITLE 8, PART III OF THE STATE TAX-PROPERTY  
5           ARTICLE.

6           (E) *ORDER OF PUBLICATION.*

7           (1) *IN GENERAL.*

8           (I) AT THE SAME TIME THAT THE SUMMONS IS ISSUED, AS PROVIDED BY  
9           SUBSECTION (D) OF THIS SECTION, THE COURT SHALL PASS AN ORDER OF  
10          PUBLICATION DIRECTED TO ALL DEFENDANTS, NAMING THE DEFENDANTS AS  
11          PROVIDED BY THIS SUBTITLE.

12          (II) THE REAL PROPERTY SHALL BE DESCRIBED IN THE ORDER OF PUBLICATION AS THE  
13          REAL PROPERTY IS DESCRIBED IN THE COMPLAINT.

14          (III) THE ORDER OF PUBLICATION SHALL WARN ANY PERSON THAT HAS OR CLAIMS TO  
15          HAVE AN INTEREST IN THE REAL PROPERTY:

16                  (A) TO ANSWER THE COMPLAINT OR TO REDEEM THE REAL PROPERTY ON OR  
17                  BEFORE THE DATE SPECIFIED IN THE ORDER OF PUBLICATION; AND

18                  (B) THAT, IN CASE OF THE PERSON'S FAILURE TO APPEAR, ANSWER, OR REDEEM  
19                  THE REAL PROPERTY, AN IN REM FORECLOSURE JUDGMENT WILL BE  
20                  ENTERED TO FORECLOSE ALL RIGHTS OF REDEMPTION IN THE REAL  
21                  PROPERTY AND ORDER THAT OWNERSHIP OF THE REAL PROPERTY BE  
22                  VESTED IN THE MAYOR AND CITY COUNCIL OF BALTIMORE.

23          (IV) THE DATE SPECIFIED IN SUBPARAGRAPH (III)(A) OF THIS PARAGRAPH MAY NOT BE  
24          LESS THAN 60 DAYS FROM THE ISSUANCE OF THE ORDER OF PUBLICATION.

25          (V) WHEN THE ORDER OF PUBLICATION IS ISSUED AND PUBLISHED, ANY PERSON THAT  
26          HAS ANY RIGHT, TITLE, INTEREST, CLAIM, LIEN, OR EQUITY OF REDEMPTION IN THE  
27          REAL PROPERTY IS BOUND BY THE JUDGMENT OF THE COURT THAT MAY BE PASSED  
28          IN THE CASE AS IF THE PERSON WERE PERSONALLY SERVED WITH PROCESS.

29          (2) *FORM OF ORDER.*

30          THE ORDER OF PUBLICATION SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

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**ORDER OF PUBLICATION**

“THE OBJECT OF THIS PROCEEDING IS TO SECURE THE FORECLOSURE OF ALL RIGHTS OF REDEMPTION IN AND VEST TITLE IN THE MAYOR AND CITY COUNCIL OF BALTIMORE TO THE FOLLOWING REAL PROPERTY IN THE CITY OF BALTIMORE:

(HERE INSERT DESCRIPTION OF REAL PROPERTY IN SUBSTANTIALLY THE SAME FORM AS THE DESCRIPTION THAT APPEARS IN THE COMPLAINT.)

THE COMPLAINT STATES, AMONG OTHER THINGS, THAT THE REAL PROPERTY IS A VACANT STRUCTURE OR NUISANCE PROPERTY PURSUANT TO THE BALTIMORE CITY BUILDING CODE AND THAT THE AMOUNTS NECESSARY FOR REDEMPTION HAVE NOT BEEN PAID.

IT IS THEREUPON THIS . . . DAY OF (MONTH), (YEAR), BY THE CIRCUIT COURT FOR BALTIMORE CITY, ORDERED, THAT NOTICE BE GIVEN BY THE INSERTION OF A COPY OF THIS ORDER IN SOME NEWSPAPER HAVING A GENERAL CIRCULATION IN . . . ONCE A WEEK FOR 3 SUCCESSIVE WEEKS, WARNING ALL PERSONS INTERESTED IN THE REAL PROPERTY TO APPEAR IN THIS COURT BY THE . . . DAY OF (MONTH), (YEAR), AND REDEEM THE REAL PROPERTY . . . AND ANSWER THE COMPLAINT OR THEREAFTER A FINAL JUDGMENT WILL BE ENTERED FORECLOSING ALL RIGHTS OF REDEMPTION IN THE REAL PROPERTY, AND VESTING TITLE IN THE MAYOR AND CITY COUNCIL OF BALTIMORE, FREE AND CLEAR OF ALL ENCUMBRANCES.”.

*(3) COPY OF ORDER TO DEFENDANTS.*

(I) THIS PARAGRAPH ONLY APPLIES TO INSTANCES WHEN THE MAYOR AND CITY COUNCIL HAVE ASCERTAINED A DEFENDANT’S LAST KNOWN ADDRESS.

(II) ON ISSUANCE OF THE ORDER OF PUBLICATION, THE MAYOR AND CITY COUNCIL SHALL SEND A COPY OF THE ORDER TO EACH DEFENDANT, AT THE DEFENDANT’S LAST KNOWN ADDRESS, BY FIRST CLASS MAIL OR CERTIFIED MAIL, POSTAGE PREPAID.

*(F) ALTERNATE MEANS OF SERVICE OF SUMMONS.*

*(1) IN GENERAL.*

NOTICE TO A DEFENDANT MAY BE MADE IN ANY OTHER MANNER THAT RESULTS IN ACTUAL NOTICE OF THE PENDENCY OF THE ACTION.

*(2) AFFIDAVIT.*

IF NOTICE IS MADE UNDER THIS SUBSECTION, THE MAYOR AND CITY COUNCIL SHALL FILE AN AFFIDAVIT WITH THE COURT CERTIFYING THE NOTICE WITH A DESCRIPTION OF THE METHOD SERVICE USED AND THE TIME OF SERVICE.

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### (G) *AFFIDAVIT REQUIREMENT.*

IF A DEFENDANT HAS NOT BEEN SERVED WITH THE SUMMONS ISSUED UNDER SUBSECTION (D) OF THIS SECTION OR IF THE DEFENDANT HAS NOT BEEN SERVED BY ALTERNATE MEANS AS DESCRIBED IN SUBSECTION (F) OF THIS SECTION, THE MAYOR AND CITY COUNCIL SHALL FILE WITH THE COURT:

(1) AN AFFIDAVIT CERTIFYING THAT ALL PROVISIONS OF THIS SECTION HAVE BEEN COMPLIED WITH; AND

(2) TO INDICATE THAT A GOOD FAITH EFFORT WAS MADE TO SERVE THE SUMMONS AND COMPLAINT ON EACH INTERESTED PARTY, A COPY OF:

(I) THE RECEIPT OBTAINED FROM THE UNITED STATES POST OFFICE FOR THE MAILING;

(II) THE CERTIFIED MAIL RECEIPT; OR

(III) AN AFFIDAVIT OF A PROCESS SERVER.

### **§ 8.2-7. POST-FILING NOTICE.**

WITHIN 5 DAYS AFTER THE FILING OF THE COMPLAINT, THE MAYOR AND CITY COUNCIL SHALL SEND A COPY OF THE COMPLAINT TO EACH INTERESTED PARTY TO THE ACTION, BY FIRST-CLASS MAIL AND CERTIFIED MAIL, POSTAGE PRE-PAID, RETURN RECEIPT REQUESTED, TO THE ADDRESS OR ADDRESSES IDENTIFIED IN THE CAPTION OF THE COMPLAINT, IF THOSE ADDRESSES WERE FOUND.

### **§ 8.2-8. SUFFICIENCY OF NOTICE.**

THE PROVISIONS OF THIS SUBTITLE AS TO NOTICE AND SERVICE OF PROCESS TO PERSONS WHO MAY HAVE AN INTEREST IN REAL PROPERTY, IN CONJUNCTION WITH THE ORDER OF PUBLICATION, ROUTINE TAX NOTICES, AND THE PRE-FILING AND POST-FILING NOTICES REQUIRED BY THIS SUBTITLE, AS WELL AS THE KNOWLEDGE OF THE TAXES AND THE CONSEQUENCES FOR NONPAYMENT OF THE TAXES IS DECLARED:

(1) TO BE REASONABLE AND SUFFICIENT UNDER ALL OF THE CIRCUMSTANCES INVOLVED, AND NECESSARY IN LIGHT OF THE COMPELLING NEED FOR THE PROMPT COLLECTION OF TAXES AND TO ADDRESS ABANDONED AND BLIGHTED REAL PROPERTY; AND

(2) TO SUPERSEDE ANY OTHER REQUIREMENT IN OTHER CASES OR CIVIL CAUSES GENERALLY, INCLUDING REQUIREMENTS IN THE MARYLAND RULES THAT MAY BE CONSTRUED TO CONFLICT WITH THE NOTICE AND SERVICE OR PROCESS REQUIREMENTS IN THIS SECTION.

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### § 8.2-9. HEARING.

#### (A) *SCHEDULING.*

(1) WHETHER TO SCHEDULE A HEARING IS WITHIN THE CIRCUIT COURT’S DISCRETION.

(2) IF A HEARING IS SCHEDULED, THE HEARING MUST BE AT LEAST 30 DAYS AFTER THE FILING OF THE COMPLAINT AND 60 DAYS FROM THE DATE OF THE ORDER OF PUBLICATION.

#### (B) *HEARING PARTICIPATION.*

AT A HEARING DURING THE PENDENCY OF THE ACTION, ANY INTERESTED PARTY HAS THE RIGHT TO BE HEARD AND TO CONTEST THE DELINQUENCY OF THE TAXES OR THE ADEQUACY OF THE PROCEEDINGS.

### § 8.2-10. JUDGMENT.

#### (A) *SCOPE.*

THIS SECTION ONLY APPLIES IF THE CIRCUIT COURT FINDS, AFTER A HEARING OR ON THE PLEADINGS AND AFFIDAVITS, THAT:

- (1) THE MAYOR AND CITY COUNCIL SENT NOTICE AND A COPY OF THE COMPLAINT TO EACH INTERESTED PARTY IN ACCORDANCE WITH THIS SUBTITLE;
- (2) SERVICE OF PROCESS AND OTHER NOTICE REQUIREMENTS HAVE BEEN MET; AND
- (3) THE INFORMATION SET FORTH IN THE COMPLAINT IS ACCURATE.

#### (B) *IN GENERAL.*

IF THE COURT HAS MADE THE FINDINGS REQUIRED BY SUBSECTION (A) OF THIS SECTION, THE COURT SHALL:

(1) ENTER A JUDGMENT FINDING THAT:

- (I) PROPER NOTICE HAS BEEN PROVIDED TO ALL INTERESTED PARTIES;
- (II) THE REAL PROPERTY IS A VACANT STRUCTURE OR NUISANCE PROPERTY PURSUANT TO THE BALTIMORE CITY BUILDING CODE; AND
- (III) FORECLOSES THE EXISTING INTERESTS OF ALL INTERESTED PARTIES IN THE REAL PROPERTY; AND

(2) ORDER THAT THE OWNERSHIP OF THE REAL PROPERTY IS TRANSFERRED TO THE MAYOR AND CITY COUNCIL PURSUANT TO § 8.2-11 {“TITLE; RECORDATION”} OF THIS SUBTITLE.

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1 (C) *EFFECT OF JUDGMENT.*

2 A JUDGMENT IN AN ACTION UNDER THIS SUBTITLE IS BINDING AND CONCLUSIVE,  
3 REGARDLESS OF LEGAL DISABILITY, ON:

4 (1) ALL PERSONS, KNOWN AND UNKNOWN, WHO WERE PARTIES TO THE ACTION AND  
5 WHO HAD A CLAIM TO THE PROPERTY, WHETHER PRESENT OR FUTURE, VESTED OR  
6 CONTINGENT, LEGAL OR EQUITABLE, OR SEVERAL OR UNDIVIDED; AND

7 (2) ALL PERSONS WHO WERE NOT PARTIES TO THE ACTION AND HAD A CLAIM TO THE  
8 REAL PROPERTY THAT WAS NOT RECORDED AT THE TIME THAT THE ACTION WAS  
9 COMMENCED.

10 (D) *SUPERSEDING UNRECORDED TAX SALE DEEDS.*

11 A JUDGEMENT IN AN ACTION UNDER THIS SUBTITLE SUPERSEDES ANY PREVIOUS  
12 UNRECORDED TAX SALE DEED.

13 **§ 8.2-11. TITLE; RECORDATION.**

14 (A) *IN GENERAL.*

15 UNLESS SPECIFIED OTHERWISE IN THE CIRCUIT COURT’S JUDGMENT OR IN THIS SECTION,  
16 THE TITLE ACQUIRED IN AN IN REM FORECLOSURE PROCEEDING SHALL BE AN ABSOLUTE  
17 FEE SIMPLE TITLE INCLUDING THE RIGHT, TITLE, AND INTEREST OF EACH OF THE  
18 DEFENDANTS IN THE PROCEEDING WHOSE PROPERTY HAS BEEN FORECLOSED, UNLESS A  
19 DIFFERENT TITLE IS SPECIFIED IN THE JUDGEMENT ENTERED.

20 (B) *LEASEHOLD PROPERTIES.*

21 (1) IF THE MAYOR AND CITY COUNCIL’S TITLE SEARCH INDICATES THAT TITLE TO REAL  
22 PROPERTY IS HELD IN LEASEHOLD AND THE MAYOR AND CITY COUNCIL WISHES FOR  
23 THE REAL PROPERTY TO BE AWARDED IN LEASEHOLD, THE MAYOR AND CITY COUNCIL  
24 MAY ASK THE COURT TO AWARD LEASEHOLD TITLE.

25 (2) SERVICE OF PROCESS HAVING BEEN RENDERED ON THE GROUND RENT OWNER, EITHER  
26 DIRECTLY, IF THE OWNER HAS BEEN IDENTIFIED AND LOCATED, OR BY PUBLICATION OR  
27 OTHER METHOD APPROVED BY THE COURT, IF THE GROUND RENT OWNER HAS NOT  
28 BEEN IDENTIFIED OR LOCATED, SHALL BE SUFFICIENT FOR THE COURT TO AWARD FEE  
29 SIMPLE TITLE TO A LEASEHOLD PROPERTY.

30 (C) *RECORDATION.*

31 THE MAYOR AND CITY COUNCIL SHALL RECORD A JUDGMENT UNDER § 8.2-10  
32 {“JUDGMENT”} OF THIS SUBTITLE TRANSFERRING TITLE OF THE SUBJECT REAL PROPERTY  
33 TO THE MAYOR AND CITY COUNCIL IN THE LAND RECORDS OF BALTIMORE CITY.

§ 8.2-12. COMPENSATION – REAL PROPERTY HAS VALUE.

(A) *IN GENERAL.*

IF THE REAL PROPERTY SUBJECT TO FORECLOSURE UNDER THIS SUBTITLE HAS VALUE, ONCE THE COURT HAS RENDERED THE JUDGEMENT AND THE MAYOR AND CITY COUNCIL HAVE RECORDED THE TITLE, THE DEPARTMENT SHALL:

(1) SELL THE PROPERTY AT PUBLIC AUCTION IN ACCORDANCE WITH § 14-894(N) {"BALTIMORE CITY JUDICIAL IN REM FORECLOSURE FOR VACANT OR NUISANCE PROPERTY"} OF THE STATE TAX-PROPERTY ARTICLE; OR

(2) WITHOUT SELLING THE PROPERTY:

(I) OBTAIN 2 APPRAISALS OF THE REAL PROPERTY BY REAL ESTATE APPRAISERS THAT ARE LICENSED UNDER TITLE 16 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE; AND

(II) DEPOSIT IN AN ESCROW ACCOUNT THE AMOUNT BY WHICH THE HIGHER OF THE 2 APPRAISALS EXCEEDS THE AMOUNT OF TAXES DUE ON THE REAL PROPERTY.

(B) *DISTRIBUTION OF FUNDS.*

AS DIRECTED BY §§ 14-894(N)(8) AND (O)(2) {"BALTIMORE CITY JUDICIAL IN REM FORECLOSURE FOR VACANT OR NUISANCE PROPERTY"} OF THE STATE TAX-PROPERTY ARTICLE, THE CIRCUIT COURT SHALL DISTRIBUTE THE FUNDS DEPOSITED INTO AN ESCROW ACCOUNT TO THE INTERESTED PARTIES IN THE ORDER OF PRIORITY OF THE INTERESTS OF THE INTERESTED PARTIES.

§ 8.2-13. POST-JUDGMENT SALE.

(A) *IN GENERAL.*

(1) AFTER OBTAINING AND RECORDING AN IN REM FORECLOSURE JUDGMENT, THE CITY MAY RETAIN TITLE TO REAL PROPERTY OR SELL REAL PROPERTY, PURSUANT TO CITY CHARTER ARTICLE V, § 5 {"DEPARTMENT OF REAL ESTATE – DUTIES"} AND CITY CODE ARTICLE 13, § 2-7 {"SPECIFIC POWERS"}, TO ADVANCE THE CITY'S BLIGHT ELIMINATION GOALS.

(2) THE GOALS DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION INCLUDE REHABILITATION, REDEVELOPMENT, CREATION OR PRESERVATION OF OPEN OR PARK SPACE, OR OTHER SIMILAR USES.

(B) *LAND BANK.*

IF THE CITY ESTABLISHES A LAND BANK AUTHORITY IN ACCORDANCE WITH CITY CHARTER ARTICLE II, § 65 {"LAND BANK AUTHORITY"}, THE CITY MAY CONVEY REAL PROPERTY DESCRIBED UNDER THIS SECTION TO THAT AUTHORITY TO BE USED FOR THE CITY'S OR THE AUTHORITY'S BLIGHT ELIMINATION AND REVITALIZATION GOALS.

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(C) *DISPOSITION.*

(1) *IN GENERAL.*

(I) AT THE TIME THE CITY SELLS ANY REAL PROPERTY OBTAINED UNDER THIS SUBTITLE, THE CITY SHALL DEPOSIT INTO THE COURT REGISTRY ANY EXCESS FUNDS PAID BY THE BUYER, EITHER DIRECTLY FOR REAL PROPERTY OR ON A PRO-RATA BASIS IF THE SUBJECT REAL PROPERTY WAS CONSOLIDATED WITH OTHER REAL PROPERTY LOTS TO CREATE A SINGLE PARCEL, BEYOND THE LIEN AMOUNTS OWED TO THE MAYOR AND THE CITY COUNCIL, INCLUSIVE OF INTEREST, FEES, AND PENALTIES, AT THE TIME OF THE IN REM FORECLOSURE JUDGEMENT UNDER THIS SUBTITLE.

(II) IN DEPOSITING THE EXCESS FUNDS, THE CITY SHALL PROVIDE AN ACCOUNTING OF THE AMOUNT OF CITY LIENS AT THE TIME OF THE IN REM FORECLOSURE JUDGEMENT ON THE REAL PROPERTY AND DETAIL THE PRICE OR PRO-RATA SHARE OF THE PRICE ULTIMATELY PAID BY THE BUYER OF THE REAL PROPERTY.

(2) *DISTRIBUTION OF PROCEEDS.*

THE AMOUNT DEPOSITED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION SHALL BE DISTRIBUTED TO THE OWNER AND OTHER DEFENDANTS, UPON THEIR MOTIONS, IN ORDER OF LIEN PRIORITY.

**§ 8.2-14. REOPENING JUDGMENT.**

(A) *IN GENERAL.*

EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A COURT MAY NOT REOPEN A JUDGMENT RENDERED IN AN IN REM FORECLOSURE PROCEEDING IN ACCORDANCE WITH THIS SECTION EXCEPT ON THE GROUND OF LACK OF JURISDICTION OR FRAUD IN THE CONDUCT OF THE PROCEEDINGS TO FORECLOSE.

(B) *CONSTRUCTIVE FRAUD - STATUTE OF LIMITATIONS.*

A COURT MAY NOT REOPEN ANY JUDGMENT UNDER SUBSECTION (A) OF THIS SECTION ON THE GROUND OF CONSTRUCTIVE FRAUD IN THE CONDUCT OF THE PROCEEDINGS TO FORECLOSE UNLESS AN APPLICATION TO REOPEN A JUDGMENT RENDERED IS FILED WITHIN 1 YEAR AFTER THE DATE OF JUDGMENT.

(C) *PROCEDURES.*

A PLAINTIFF IN AN ACTION TO REOPEN AN IN REM FORECLOSURE JUDGMENT UNDER THIS SECTION SHALL:

(1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, FILE THE ACTION WITHIN 3 YEARS AFTER THE ENTRY OF THE IN REM FORECLOSURE JUDGMENT;

(2) PAY ALL TAXES DUE ON THE PROPERTY BEFORE FILING THE ACTION; AND

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(3) WITHIN 30 DAYS AFTER FILING THE ACTION, SUBMIT EVIDENCE TO THE COURT THAT THE MOVING PARTY HOLDS A BOND EQUAL TO THE REASONABLE VALUE OF THE SUBJECT REAL PROPERTY.

(D) *JUDGMENT SET ASIDE.*

IF AN IN REM FORECLOSURE JUDGMENT OF THE COURT IS SET ASIDE, THE AMOUNT REQUIRED TO REDEEM IS EQUAL TO THE SUM OF:

(1) THE AMOUNT REQUIRED BY THIS SUBTITLE; AND

(2) THE REASONABLE VALUE, AT THE DATE THE JUDGMENT IS SET ASIDE, OF ALL IMPROVEMENTS MADE ON THE REAL PROPERTY AND ALL COSTS INCURRED WITH RESPECT TO DEVELOPMENT OF THE REAL PROPERTY BY THE PURCHASER AND THE PURCHASER'S SUCCESSORS IN INTEREST.

**SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted.