N1 5lr2811 CF SB 566

By: Delegates J. Long, Harris, Holmes, and Woods

Introduced and read first time: January 29, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning 2 Real Property - Filing Fee for Residential Mortgage Foreclosure - Increase 3 FOR the purpose of increasing the filing fee required to accompany an order to docket or a complaint to foreclose a mortgage or deed of trust on residential property by a certain 4 5 amount; and generally relating to foreclosure of residential property. 6 BY repealing and reenacting, with amendments, Article – Real Property 7 8 Section 7–105.1(e) Annotated Code of Maryland 9 (2023 Replacement Volume and 2024 Supplement) 10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND. 11 12 That the Laws of Maryland read as follows: 13 Article - Real Property 7-105.1.14 An order to docket or a complaint to foreclose a mortgage or deed of trust on 15 residential property shall: 16 17 Include: (1) 18 (i) If applicable, the license number of: 19 1. The mortgage originator; and 20 2. The mortgage lender; and 21 An affidavit stating: (ii)



$\frac{1}{2}$	the default; and	1.	The date on which the default occurred and the nature of
3	2	2.	If applicable, that:
4 5 6		A. h subs	A notice of intent to foreclose was sent to the mortgagor or section (c) of this section and the date on which the notice
7 8		B. tent t	At the time the notice of intent to foreclose was sent, the to foreclose were accurate; and
9	(2) Be accompanied by:		
10	(i) T	The o	riginal or a certified copy of the mortgage or deed of trust;
11 12 13	* *		tement of the debt remaining due and payable supported by ne secured party or the agent or attorney of the plaintiff or
14 15	(iii) A certifying ownership of the	-	by of the debt instrument accompanied by an affidavit instrument;
16 17	` ,		licable, the original or a certified copy of the assignment of eclosure or the deed of appointment of a substitute trustee;
18 19			y defendant is an individual, an affidavit that is in rvicemembers Civil Relief Act, 50 U.S.C. App. § 501 et seq.;
20	(vi) I	If app	licable, a copy of the notice of intent to foreclose;
21 22 23	` ,		secured party and mortgagor or grantor have elected to, the report of the prefile mediation issued by the Office of
24 25 26	(viii) If the secured party and the mortgagor or grantor have not elected to participate in prefile mediation, a statement that the parties have not elected to participate in prefile mediation;		
27 28	(ix) I the amount of [\$300] \$600		dition to any other filing fees required by law, a filing fee in
29 30 31	to subsection (g) of this sec	-	If the loss mitigation analysis has been completed subject a final loss mitigation affidavit in the form prescribed by missioner of Financial Regulation; and

- 2. If the loss mitigation analysis has not been completed, a preliminary loss mitigation affidavit in the form prescribed by regulation adopted by the Commissioner of Financial Regulation.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 5 October 1, 2025.