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COMMISSIONER OF FINANCIAL  
REGULATION  
ADVISORY NOTICE  
REGULATORY ALERT

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January 7, 2019

**NOTICE OF FORECLOSURE FILING, NEW REQUIREMENTS FOR FORECLOSED  
PROPERTY REGISTRY, AND ONLINE FORECLOSURE REGISTRATION SYSTEM**

*This advisory from the Commissioner of Financial Regulation is to notify Maryland government officials about the implementation of new requirements for residential property foreclosures: Chapters 348 and 349 of the Acts of 2017, House Bill 1048/Senate Bill 875, [Md. Code Ann., [Real Property \("RP"\) §14–126.2](#)], effective October 2018; and Chapters 348 and 349 of the Acts of 2018, House Bill 78/Senate Bill 222, [Md. Code Ann., [Real Property \("RP"\) §14–126.1\(d\)\(5\) and §14–126.1\(d\)\(6\)](#)], effective January 2019.*

**NOTICE OF FORECLOSURE FILING REQUIREMENT**

RP §14–126.2 requires the person authorized to sell a residential property pursuant to foreclosure of a mortgage or deed of trust to provide the Department of Labor, Licensing and Regulation (the “Department”) with a notice of foreclosure (“notice”) within seven days of the filing of an order to docket or complaint to foreclose.

The notice must contain the street address of the property subject to foreclosure and the name, address and telephone number of the person authorized to make the sale. The notice must also contain, if known: the tax account number; whether the property is vacant; the name, address, and telephone number of the owner(s) of the property; and the name, address, and telephone number of a person authorized to manage and maintain the property before the foreclosure sale.

The Department may authorize access to a notice of foreclosure only to individuals employed by or otherwise representing a Maryland county, municipal corporation, or state agency. The notice is not a public record as defined by the General Provisions Article and is not subject to Title 4 of said article. However, pursuant to RP §14–126.2(c)(3), “a local jurisdiction may provide information for a specific property described in a notice of foreclosure to a person who owns property on the same block; or a homeowners association or condominium in which the property is located”. The notice of foreclosure filing requirement is effective October 2018.

## NEW REQUIREMENTS FOR FORECLOSED PROPERTY REGISTRY

RP §14–126.1(d)(5) requires the Department to establish procedures requiring a foreclosure purchaser, after submitting an initial registration to the Maryland Foreclosed Property Registry, to submit any change to certain information in that registration within 21 business days after this change is known to the purchaser. The information required to be updated is the following: the name and address of the person, including a substitute purchaser, who is authorized to accept legal service for the foreclosure purchaser; whether the foreclosed property is vacant; the name, telephone number, and street address of the person who is responsible for the maintenance of the property; and whether the foreclosure purchaser has possession of the property.

RP §14–126.1(d)(6) requires the Department to promptly notify, by electronic means, authorized users from the county or municipal corporation in which the property is located on receipt through the Foreclosed Property Registry of an initial registration or any change submitted to said registration as required in RP §14–126.1(d)(5).

The new requirements for the Foreclosed Property Registry are effective January 2019. The other requirements for the Foreclosed Property Registry as established in RP §14–126.1 are unchanged.

## NEW FORECLOSURE REGISTRATION SYSTEM

To implement the notice of foreclosure filing required in RP §14–126.2, the procedures required in RP §14–126.1(d)(5) and RP §14–126.1(d)(6), and to provide for necessary upgrades to the Foreclosed Property Registry database, the Commissioner of Financial Regulation on behalf of the Department (the “Commissioner”) has implemented a new [Foreclosure Registration System](#). The Foreclosure Registration System is a secure website that integrates submission portals and search functions for the notice of foreclosure filing and the Foreclosed Property Registry.

The Foreclosure Registration System replaces the legacy [Foreclosed Property Registry](#) (“legacy registry”) which will be phased out by the end of January 2019. The Office of the Commissioner of Financial Regulation is in the process of migrating registration data from the legacy registry to the new system. Until the migration process is implemented, all current users will continue to have access to foreclosed property registrations in the legacy registry.

Individuals employed by or otherwise representing a Maryland county, municipal corporation, or state agency may be authorized to establish user accounts on the Foreclosure Registration System. A user account enables that individual to access notices of foreclosure filings and foreclosed property registrations for their jurisdiction(s) and to receive email notifications regarding new or updated foreclosed property registrations. User accounts must be approved by staff in the Office of the Commissioner of Financial Regulation before the account becomes active. Instructions for creating a “Government User” account are in the [System User Guide](#).

**NOTE:** All users must have an approved account to use the Foreclosure Registration System. This is true *even if a user already has an account with the legacy registry*. **Current users of the legacy Foreclosed Property Registry must create a new account in the Foreclosure Registration System** in order to

maintain their access to property registrations, obtain access to notices of foreclosure filings, and to receive email notifications regarding new or updated property registrations.

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The Foreclosure Registration System is available at <https://www.dllr.state.md.us/ForeclosureSystems/>.

Instructions for using the Foreclosure Registration System are in the System User Guide available at [https://www.dllr.state.md.us/ForeclosureSystems/Documents/FRS\\_User\\_Guide.pdf](https://www.dllr.state.md.us/ForeclosureSystems/Documents/FRS_User_Guide.pdf) and in the side menu on the Foreclosure Registration System website.

The Commissioner's staff, on behalf of the Department, is available to assist users of the Foreclosure Registration System. Please contact staff at (410) 230-6245 or [FinReg.ForeclosureSystems@maryland.gov](mailto:FinReg.ForeclosureSystems@maryland.gov) for additional information or guidance.



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Questions? [Contact Us](#)