

UNDER THIS SUBTITLE (STYLED AS A CIVIL ACTION AGAINST THE OWNER OR THE PROPERTY AND ANY OTHER INTERESTED PARTIES, INCLUDING ANY TRANSFEROR THAT THE STATE WISHES TO MAKE A PARTY), TOGETHER WITH A SWORN AFFIDAVIT STATING FACTS ON WHICH THE ALLEGATIONS OF DEFAULT ARE BASED, AS WELL AS A DETAILED JUSTIFICATION OF THE AMOUNT CLAIMED.

(2) IF THE CIRCUIT COURT DETERMINES FROM THE STATE'S INITIAL FILING THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT A DEFAULT HAS OCCURRED, THE COURT SHALL AUTHORIZE A TEMPORARY LIEN ON THE PROPERTY, IN THE AMOUNT OF THE STATE'S CLAIM, PLUS ANY ADDITIONAL AMOUNT ESTIMATED TO BE NECESSARY TO COVER THE COSTS AND REASONABLE ATTORNEY'S FEES INCURRED BY THE STATE, OR OTHER AMOUNTS AS THE COURT DETERMINES TO BE REASONABLE, PENDING FULL DETERMINATION OF THE STATE'S CLAIM.

(3) THE TEMPORARY LIEN TAKES EFFECT ON THE DATE OF THE COURT'S AUTHORIZATION IF THE SECRETARY OF THE BOARD OF PUBLIC WORKS RECORDS A NOTICE OF TEMPORARY LIEN IN THE LAND RECORDS OF THE COUNTY OR BALTIMORE CITY IN WHICH THE PROPERTY IS LOCATED WITHIN 10 DAYS THEREAFTER; OTHERWISE, THE TEMPORARY LIEN TAKES EFFECT ON THE DATE A NOTICE OF TEMPORARY LIEN IS RECORDED. WHILE THE TEMPORARY LIEN IS IN EFFECT, NEITHER THE OWNER NOR ANY PERSON WHO ACQUIRED AN INTEREST IN THE PROPERTY AFTER THE STATE FIRST MADE FUNDS AVAILABLE IN CONNECTION WITH THE PROPERTY UNDER THIS SUBTITLE MAY TAKE ANY ACTION THAT WOULD AFFECT THE TITLE TO THE PROPERTY OR INSTITUTE ANY PROCEEDINGS TO ENFORCE A SECURITY INTEREST OR OTHER SIMILAR RIGHTS IN THE PROPERTY, WITHOUT THE PRIOR WRITTEN CONSENT OF THE STATE.

(4) THE OWNER OF THE PROPERTY OR ANY OTHER INTERESTED PARTY MAY OBTAIN RELEASE OF THIS TEMPORARY LIEN AT ANY TIME BY FILING WITH THE COURT A BOND SECURING THE PAYMENT IN FULL OF THE STATE'S CLAIM ANY ADDITIONAL AMOUNT NECESSARY TO COVER THE COSTS AND REASONABLE ATTORNEYS' FEES INCURRED BY THE STATE. THE OWNER OR OTHER INTERESTED PARTY MAY CAUSE THE RELEASE TO BE RECORDED IN THE LAND RECORDS.

(D) (1) PROCEEDINGS TO DETERMINE THE STATE'S RIGHT TO RECOVER AND THE AMOUNT OF ITS RECOVERY UNDER THIS SUBTITLE SHALL HAVE PRIORITY OVER OTHER CIVIL PROCEEDINGS IN THE CIRCUIT COURTS.

(2) AT THE CONCLUSION OF FULL ADVERSARY PROCEEDINGS ON THE ISSUE OF DEFAULT AND ON ANY DISPUTES OVER THE AMOUNT OF THE STATE'S RECOVERY, THE CIRCUIT COURT SHALL, IF IT FINDS THAT A DEFAULT HAS OCCURRED, ISSUE A FINAL JUDGMENT FOR THE AMOUNT IT FINDS TO BE RECOVERABLE BY THE STATE. ALL PARTIES