

the departmental regulations provided for by Section (6)(b) of this Act as eligible for poverty area funding, State grants shall amount to up to 75 percent of the eligible cost remaining after the federal grant has been applied.

(c) The amount of the State grant for any project shall be determined after consideration of all eligible applications, the total of unallocated State funds available at the time the application is received, and such priorities of area need as may be established by the Department.

(8) The Board of Public Works shall make allocations from funds available under this Act in accordance with this Act. The Board of Public Works shall certify the allocations to the proper State officers, and the Treasurer shall make payments to or on behalf of the applicant, when needed, for the construction, expansion, renovation, or equipping of a facility. The Board of Public Works may adopt regulations for receiving and considering applications and for disbursing funds to or on behalf of applicants.

(9) (a) If, within 15 years after completion of a project, a nursing home with respect to which funds have been paid under this Act is sold or transferred to any person, agency, or organization that would not qualify as an applicant under this Act, or that is not approved as a transferee by the Board of Public Works, or if, within the same period, the nursing home ceases to be a "facility" as defined in this Act, then the State may recover from either the transferor or the transferee or, in the case of a nursing home that has ceased to be a facility, from the owner, an amount bearing the same ratio to the then-current value of so much of the property as constituted an approved project as the amount of the State participation bore to the total eligible cost of the approved project, together with all costs and reasonable attorneys' fees incurred by the State in the recovery proceedings.

(b) The Department shall cause a notice of this right of recovery to be recorded in the land records of the county or Baltimore City in which the property is located before the State makes any funds available for the approved project. The recording of the notice shall not create any lien against the property; however, it shall constitute notice to any potential transferee, potential creditor, or other interested party of the possibility that the State may obtain a lien under this Act.

(c) (i) In the event of an alleged sale or transfer as described above, or in the event that a property is alleged to have ceased to be a facility, the Secretary of the Board of Public Works may file, in the circuit court for the county or Baltimore City in which the property is located, a claim under this Act (styled as a civil action against the owner of the property and any other interested parties, including any transferor that the State wishes to make a party), together with sworn affidavits stating facts on which the allegations of default are based, as well as a detailed justification of the amount claimed.

(ii) 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 attorneys' fees incurred by the State) or in such other amount as the court determines to be