

balance due under such security interest, and, when said balance is paid by the landlord, shall assign or release unto said landlord such security interest.

8-309. Removal of levied goods; bond.

Upon petition of any plaintiff in distress and a showing of a need for protection thereof, the court shall be empowered to order the removal of any goods levied upon from the leased premises to such place as the court may approve pending the sale of the goods. Removal of goods may be conditioned on the giving of a bond by the plaintiff in such amount and in such form as the court shall determine.

8-310. Levy on goods of third person; finality of levy; removal of excluded goods.

(a) Any person who is not a tenant and whose goods are levied upon on leased premises under distress may within seven days after the levy file a petition with the court before which the action of distress is pending for an order to exclude from levy the goods of such person not a tenant. The petition shall set forth the facts as to the ownership of the goods and shall be verified by the petitioner. A copy of the petition shall be served upon the plaintiff and upon the defendant. If service cannot be made on either, the petitioner shall certify this fact to the court in writing, stating the reason therefor. After a hearing held on not more than ten days' notice, and upon submission of proof satisfactory to the court that the goods are not the property of the tenant, the court shall issue an order excluding the goods from levy, which order shall authorize the owner thereof to remove them from the leased premises at the said owner's expense free of any claim of the landlord.

(b) If no petition to determine ownership of goods is filed by any third person within seven days after the date of a levy under distress, all goods on the leased premises and included in the inventory shall be conclusively presumed thereafter to be the goods of the tenant and may be disposed of according to the applicable provisions of this subtitle without any liability to the owner thereof for such disposal.

(c) If a claimant's petition for exclusion of his goods from distress is granted by the court, then the order shall provide that the claimant shall remove his goods at his expense from the leased premises within a time to be fixed by the court. If the claimant fails to remove his goods within the time so fixed, then the goods claimed by him shall no longer be excluded from distress and shall be subject to the landlord's claim for distress as though no petition for exclusion had been filed.

8-311. Effect of levy on title to goods; risk of loss of levied goods.

(a) Levy on goods under distress shall not affect or disturb the title to the goods. The claim or lien of the landlord under this subtitle upon the goods shall continue until the goods are sold as provided herein.

(b) All risk of loss or destruction of goods of whatever nature shall be on the owner thereof or the tenant of the leased premises,