

*judgment and execution for the sum or sums justly due him; provided, however, that any person having direct contractual relationship with a subcontractor of the contractor, or with any subcontractor of the contractor but no contractual relationship express or implied with the contractor furnishing said payment bond, shall have a right of action upon the payment bond upon giving written notice to the contractor within ninety (90) days from the date on which such person did, or performed the last of the labor or furnished or supplied the last of the material for which such claim is made, stating with substantial accuracy the amount claimed and the name of the party to whom the material was furnished or supplied or for whom the labor was done or performed. Such notice shall be served by mailing the same by registered or certified mail, postage prepaid, in an envelope addressed to the contractor at any place he maintains an office or conducts his business, or his residence.*

(d) *Same—Where and when brought: liability for costs.*

*Every suit instituted under this section shall be brought in the appropriate court in the political subdivision in which the contract was to be performed and executed or in the political subdivision where the contractor has his principal place of business and not elsewhere, but no such suit shall be commenced after the term of one year after the date of final acceptance of the work performed under the contract. The obligee named in the bond shall not be liable for the payment of any cost or expenses of any such suit.*

(e) *To whom bonds payable; approval as to form.*

*In the case of contracts of the State of Maryland, or any board, commission, or agency thereof, the aforesaid bonds shall be payable to the State of Maryland and shall be approved by the Attorney General as to form. In the case of all other contracts subject to this section, the bonds shall be payable to the public body concerned, and shall be approved by its attorney as to form.*

(f) *Where bonds filed.*

*Bonds payable to the State of Maryland shall be filed in the office of the State Comptroller. All other bonds shall be filed in the office of the public body concerned.*

(g) *Certified copies of bonds.*

*The State Comptroller or officer in charge of the office wherein the aforesaid bonds are required to be filed is authorized and directed to furnish, to any person making application therefor who submits an affidavit that he has supplied labor, or materials, for such work and payment therefor has not been made or that he is being sued on any such bond, a certified copy of the bond, which copy shall be prima facie evidence of the contents, execution, and delivery of the original. Applicants shall pay for such certified copies such reasonable fees as the State Comptroller or the aforesaid officer shall fix to cover the cost of preparation thereof.*

## Title X—Sales of Property

### Subtitle 1. Land Installment Contracts

#### 10-101. Definitions.

*In this subtitle, unless the context otherwise requires, the following words and terms shall have the following meaning:*