

NOT VACATE THE DWELLING OR PLACE OF BUSINESS UNTIL THE TITLE TO THE PROPERTY HAS BEEN ACQUIRED BY DEED OR CONDEMNATION.

REVISOR'S NOTE: This section is new language derived without substantive change from the third, fourth, and fifth sentences of the first paragraph of Art. 89B, §14.

In subsection (b) of this section, the present requirement that an occupant need not vacate "said building" is changed to refer to the "dwelling or place of business" since the latter may or may not be conducted in a "building".

8-325. NEGOTIATION WITH PROPERTY OWNERS.

(A) COMMISSION TO NEGOTIATE.

AFTER THE PETITION IS FILED AND PAYMENT IS MADE UNDER §8-323 OF THIS SUBTITLE, THE COMMISSION SHALL SEEK TO ACQUIRE THE PROPERTY BY AMICABLE NEGOTIATION.

(B) VALUATION DATE.

FOR PURPOSES OF THESE NEGOTIATIONS, THE COMMISSION SHALL DETERMINE THE VALUE OF THE PROPERTY TO BE ACQUIRED AS OF THE DATE THE PAYMENT IS MADE TO THE PROPERTY OWNER OR INTO COURT UNDER §8-323 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 89B, §15.

8-326. CERTIFICATION TO BOARD OF PROPERTY REVIEW; FILING IN COURT.

(A) CERTIFICATION TO BOARD.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IF THE COMMISSION IS UNABLE TO ACQUIRE THE PROPERTY BY NEGOTIATION, IT SHALL CERTIFY THE CASE TO THE BOARD OF PROPERTY REVIEW FOR THE COUNTY IN WHICH THE PROPERTY IS LOCATED, AS PROVIDED IN THE MARYLAND RULES.

(B) CASES TO BE HEARD BY COURT.

A CASE SHALL BE FILED AS A CONDEMNATION CASE IN THE COURT FOR THE COUNTY IN WHICH THE PROPERTY IS LOCATED AND MAY NOT BE HEARD BY A BOARD OF PROPERTY REVIEW IF:

(1) THE COMMISSION DETERMINES THAT VALID, MARKETABLE TITLE IS UNOBTAINABLE WITHOUT A COURT PROCEEDING; OR

(2) A NONRESIDENT HAS AN INTEREST IN THE PROPERTY AND WILL NOT ACCEPT SERVICE OF PROCESS AND AGREE TO THE