

GENERAL COMMITTEE COMMENT:

Former CA § 6-228(d), which required a State association that converted to a federal association to file its federal charter with certain authorities, was deleted as unenforceable.

SUBTITLE 7. INVOLUNTARY ACTIONS -- CONSERVATOR;
RECEIVERSHIP.

PART I. CONSERVATORSHIP.

9-701. CONSERVATOR.

(A) PROCEEDINGS BY BOARD OF COMMISSIONERS.

THE BOARD OF COMMISSIONERS MAY INSTITUTE PROCEEDINGS IN AN EQUITY COURT IN THE COUNTY WHERE THE PRINCIPAL OFFICE OF A SAVINGS AND LOAN ASSOCIATION IS LOCATED FOR THE APPOINTMENT OF A CONSERVATOR IF:

(1) THE SAVINGS AND LOAN ASSOCIATION FAILS TO COMPLY WITH A FINAL ORDER OF THE DIVISION DIRECTOR OR BOARD OF COMMISSIONERS; OR

(2) THE BOARD OF COMMISSIONERS CONSIDERS THAT THE APPOINTMENT OF A CONSERVATOR IS IN THE PUBLIC INTEREST.

(B) LIMITATION.

ONLY THE BOARD OF COMMISSIONERS MAY INSTITUTE PROCEEDINGS FOR THE APPOINTMENT OF A CONSERVATOR.

(C) COURT APPOINTMENT.

SUBJECT TO § 9-709 OF THIS SUBTITLE, A COURT MAY APPOINT THE DIVISION DIRECTOR, DEPUTY DIRECTOR, OR AN EXAMINER FROM THE DIVISION OF SAVINGS AND LOAN ASSOCIATIONS AS CONSERVATOR IF THE COURT FINDS THAT A SAVINGS AND LOAN ASSOCIATION IS:

(1) IN AN IMPAIRED OR INSOLVENT CONDITION;

(2) IN SUBSTANTIAL VIOLATION OF ANY LAW OR REGULATION;

(3) CONCEALING ANY OF ITS ASSETS OR RECORDS; OR

(4) CONDUCTING AN UNSAFE OR UNSOUND OPERATION.

COMMITTEE COMMENT: This section replaces the first two sentences and the first clause of the third sentence of former Art. 23, § 161K(a).

In subsection (a)(1) of this section, the phrase "a final order of the Division Director or Board
