

CHAPTER 408

(House Bill 427)

AN ACT concerning

Mortgages and Deeds of Trust -
Presumption of Payment

FOR the purpose of altering the period of time that must elapse before a certain presumption of payment may be made with regard to a mortgage or deed of trust that remains unreleased of record; and correcting a technical error.

BY repealing and reenacting, with amendments,

Article - Real Property
Section 7-106
Annotated Code of Maryland
(1981 Replacement Volume and 1983 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Real Property

7-106.

(a) No trustee of a deed of trust may charge, demand, or receive any money or any other item of value exceeding \$15 for the partial or complete release of the deed of trust unless the fee is specified in the instrument. Any person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$100.

(b) (1) Subject to the provisions of [subsection] PARAGRAPH (5) OF THIS SUBSECTION a person who has undertaken responsibility for the disbursement of funds in connection with the grant of title to property, shall mail or deliver to the vendor and purchaser in the transaction, the original or a photographic, photostatic, or similarly reproduced copy of the recorded release of any mortgage or deed of trust which the person was obliged to obtain and record with all or part of the funds to be disbursed. If the original or copy of a recorded release is not readily obtainable at the time of recording, the person may mail or deliver to the purchaser or vendor the original or a copy of the court's recordation receipt for the release, or any other certified court document clearly evidencing the recordation of the release.

(2) The required evidence of a recorded release shall be mailed or delivered to the vendor and purchaser within 30 days from the delivery of the deed granting title to the property.