

14-839. ISSUANCE OF PROCESS.

(A) NOTICE TO DEFENDANTS.

ON THE FILING OF THE COMPLAINT, THE COURT SHALL ISSUE A SUMMONS FOR EACH DEFENDANT NAMED IN THE COMPLAINT WHO IS A RESIDENT OF THE STATE. EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, PROCESS SHALL BE THE SAME AS IN OTHER CIVIL ACTIONS. THE SUMMONS SHALL WARN EACH DEFENDANT TO APPEAR IN COURT ON OR BEFORE A DATE NAMED IN THE SUMMONS, WHICH DATE MAY NOT BE LESS THAN 60 DAYS FROM THE DATE ON WHICH THE COMPLAINT WAS FILED, TO ANSWER THE COMPLAINT OR TO REDEEM THE PROPERTY AND SHALL CONTAIN A STATEMENT THAT IN CASE OF FAILURE TO APPEAR, ANSWER, OR REDEEM THE PROPERTY, A FINAL ORDER WILL BE ISSUED THAT FORECLOSES ALL RIGHTS OF REDEMPTION IN THE PROPERTY. PROVIDED THAT WHERE 2 SUCCESSIVE SUMMONSES AGAINST A NAMED DEFENDANT ARE RETURNED NON EST OR ON THE RETURN OF 1 SUMMONS NON EST AND PROOF BY AFFIDAVIT THAT A DEFENDANT HAS AVOIDED SERVICE OF THE SUMMONS, OR THAT THE DEFENDANT'S WHEREABOUTS ARE UNKNOWN, THE DEFENDANT SHALL BE DEEMED TO BE SERVED BY THE PUBLICATION PROVIDED BY THIS SUBTITLE AS IF THE DEFENDANT WERE A NONRESIDENT.

(B) NOTICE TO COLLECTOR.

NOTICE OF THE INSTITUTION OF A PROCEEDING TO FORECLOSE THE RIGHT OF REDEMPTION ALSO SHALL BE GIVEN TO THE COLLECTOR WHERE THE PROPERTY IS LOCATED.

REVISOR'S NOTE: This section formerly appeared as Art. 81, § 106.

The reference to "process shall be the same as in other civil actions" is substituted for the former reference to "and upon such bill the same process by summons ... shall be had to procure the answer and appearance of all such defendants as is had in other cases of equity", for brevity.

The reference to avoiding service is substituted for the former reference that the defendant "kept out of the way or has secreted himself", for clarity.

The only other changes are in style.

Defined terms: "Collector" § 1-101
"Property" § 1-101 "Resident of the State" § 1-101

14-840. NOTICE BY PUBLICATION.

(A) IN GENERAL.

AT THE SAME TIME THE SUMMONS IS ISSUED AS PROVIDED BY § 14-839 OF THIS SUBTITLE, THE COURT SHALL PASS AN ORDER OF PUBLICATION DIRECTED TO ALL DEFENDANTS, NAMING THEM AS PROVIDED