

CHAPTER 765

(Senate Bill 839)

AN ACT concerning

Credit Regulation --Revolving-Credit-Provisions
- Sales of Repossessed Property

FOR the purpose of allowing a credit grantor under the revolving credit laws to sell repossessed property at a private sale; requiring certain notice; establishing certain reporting requirements; permitting the Commissioner of Consumer Credit to make certain determinations; and establishing standards governing the method of sale.

BY repealing and reenacting, with amendments,

Article - Commercial Law
 Section ~~12-921(j)~~ 12-115(j), 12-921(j), and 12-1021(j)
 Annotated Code of Maryland
 (1983 Replacement Volume and 1986 Supplement)

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

Article - Commercial Law

12-115.

(j) (1) The lender shall sell the repossessed goods at PRIVATE SALE (SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION) OR at public auction. At least 10 days before {the} A--PUBLIC sale, the lender shall notify the borrower in writing sent by [registered or] certified mail, RETURN RECEIPT REQUESTED, sent to [his] THE BORROWER'S last known address of the time and place of sale. ANY SALE OF REPOSSESSED PROPERTY MUST BE ACCOMPLISHED IN A COMMERCIALY REASONABLE MANNER.

(2) IN ALL CASES OF A PRIVATE SALE OF REPOSSESSED GOODS UNDER THIS SECTION, A FULL ACCOUNTING SHALL BE MADE TO THE BORROWER IN WRITING AND THE SELLER SHALL FILE A COPY OF THIS ACCOUNTING WITH THE COMMISSIONER OF CONSUMER CREDIT. THIS ACCOUNTING SHALL CONTAIN THE FOLLOWING INFORMATION:

(I) THE UNPAID BALANCE AT THE TIME THE GOODS WERE REPOSSESSED;

(II) THE REFUND CREDIT OF UNEARNED FINANCE CHARGES AND INSURANCE PREMIUMS, IF ANY;

(III) THE REMAINING NET BALANCE;