

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 sale, the lender shall notify the borrower in writing sent by certified mail, return receipt requested, sent to the borrower's last known address of the time and place of sale. Any sale of repossessed property must be accomplished in a commercially 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;

(iv) The proceeds of the sale of the goods;

(v) The remaining deficiency balance, if any, or the amount due the buyer;

(vi) All expenses incurred as a result of the sale;

(vii) {The REQUIREMENT THAT THE purchaser's name, address, and business MUST BE FILED BY THE SELLER WITH THE COMMISSIONER OF CONSUMER CREDIT AND THAT THE COMMISSIONER MAY PROVIDE THAT INFORMATION TO THE BORROWER WHERE IT IS NECESSARY TO ASCERTAIN THAT:

1. THE SALE WAS ACCOMPLISHED IN A COMMERCIALY REASONABLE MANNER; AND

2. ANY ALLEGED DEFICIENCY BALANCE DUE THE SELLER IS, IN FACT, DUE;

(viii)} The number of bids sought and received; and

{(ix)} ~~{viii}~~ Any statement as to the condition of the goods at the time of repossession which would