

Section 14-301 through 14-313, inclusive, to be under the new subtitle "Subtitle 3. Commercial Real Estate Broker's Lien"

Annotated Code of Maryland

(1988 Replacement Volume and 1993 Supplement)

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

Article - Real Property

SUBTITLE 3. COMMERCIAL REAL ESTATE BROKER'S LIEN

14-301.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED UNLESS THE CONTEXT REQUIRES OTHERWISE.

(B) "BROKER" MEANS:

(1) AN INDIVIDUAL LICENSED AS, OR OTHERWISE AUTHORIZED TO ACT AS, A REAL ESTATE BROKER UNDER TITLE 16 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE; OR

(2) A CORPORATION OR PARTNERSHIP AUTHORIZED TO PROVIDE REAL ESTATE BROKERAGE SERVICES UNDER TITLE 16 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

(C) "BROKER'S LIEN" MEANS A LIEN ESTABLISHED IN ACCORDANCE WITH THIS SUBTITLE.

(D) "CLAIMANT" MEANS A BROKER CLAIMING A BROKER'S LIEN UNDER THIS SUBTITLE.

(E) "COMMERCIAL LEASE" MEANS A LEASE OF BUILDING FLOOR SPACE INTENDED TO BE USED BY THE TENANT FOR A NONRESIDENTIAL USE WHETHER OR NOT THE LEASE EXPRESSLY SETS FORTH A USE.

(F) (1) "COMMERCIAL LEASING BROKERAGE AGREEMENT" OR "BROKERAGE AGREEMENT" MEANS A WRITTEN AGREEMENT BETWEEN A BROKER AND THE OWNER OF COMMERCIAL PROPERTY THAT PROVIDES FOR THE PAYMENT OF A COMMERCIAL LEASING COMMISSION BY THE OWNER TO THE BROKER FOR SERVICES IN OBTAINING A COMMERCIAL TENANT REGARDLESS AS TO WHETHER THE BROKER ACTED AS THE AGENT FOR THE OWNER OR THE COMMERCIAL TENANT.

(2) "COMMERCIAL LEASING BROKERAGE AGREEMENT" OR "BROKERAGE AGREEMENT" ~~ALSO MEANS AN AGREEMENT OF ANY KIND OR NATURE, EXPRESS OR IMPLIED, THAT PROVIDES FOR THE PAYMENT OF A COMMERCIAL LEASING COMMISSION FOR SERVICES RENDERED BY THE BROKER IN~~