

(II) In addition to any notice required to be given by provisions of the Annotated Code of Maryland or the Maryland Rules, the person authorized to make a sale in an action to foreclose a mortgage or deed of trust shall give written notice of the proposed sale to the [present] record owner of the property to be sold.

(2) (i) The written notice shall be sent:

1. By certified mail, postage prepaid, return receipt requested, bearing a postmark from the United States Postal Service, to the record owner; and

2. By first class mail.

(ii) The notice shall state the time, place, and terms of the sale and shall be sent not earlier than 30 days and not later than 10 days before the date of sale.

(iii) The person giving the notice shall file in the proceedings:

1. A return receipt; or

2. An affidavit that:

A. The provisions of this paragraph have been complied with; or

B. The address of the record owner is not reasonably ascertainable.

(iv) [If the filing under subparagraph (iii) of this paragraph is made before final ratification of the sale, failure of the mortgagor to receive the notice shall not invalidate a sale] THE PERSON AUTHORIZED TO MAKE A SALE IN AN ACTION TO FORECLOSE A MORTGAGE OR DEED OF TRUST IS NOT REQUIRED TO GIVE NOTICE TO A RECORD OWNER WHOSE ADDRESS IS NOT REASONABLY ASCERTAINABLE.

(3) In the event of postponement of sale, which may be done in the discretion of the trustee, no new or additional notice need be given pursuant to this section.

(4) THE RIGHT OF A RECORD OWNER TO FILE AN ACTION FOR THE FAILURE OF THE PERSON AUTHORIZED TO MAKE A SALE IN AN ACTION TO FORECLOSE A MORTGAGE OR DEED OF TRUST TO COMPLY WITH THE PROVISIONS OF THIS SUBSECTION SHALL EXPIRE 3 YEARS AFTER THE DATE OF THE ORDER RATIFYING THE FORECLOSURE SALE.

(c) (1) The [holder of a superior recorded] PERSON AUTHORIZED TO MAKE A SALE IN AN ACTION TO FORECLOSE A mortgage or deed of trust shall give written notice of any proposed foreclosure sale to the holder of any subordinate [recorded] mortgage, deed of trust, or other subordinate [recorded or filed] interest, including a judgment, in accordance with SUBSECTION (B) OF THIS SECTION AND the requirements of the Maryland Rules applicable to the giving of notice to the ~~mortgagor or grantor of the mortgage or deed of trust being foreclosed~~ RECORD OWNER OF THE PROPERTY TO BE SOLD.