

(c) (1) A community association may seek injunctive and other equitable relief in the circuit court for abatement of a nuisance upon showing:

(i) The notice requirements of this subsection have been satisfied;  
and

(ii) The nuisance has not been abated.

(2) (i) An action may not be brought under this section [based on a nuisance] until 60 days after the community association [gives] SENDS notice of the violation and of the community association's intent to bring an action under this section by certified mail, return receipt requested, to the [applicable local] APPROPRIATE CODE enforcement agency.

(ii) An action under this section may not be brought if the [applicable] APPROPRIATE code enforcement agency has filed an action for equitable relief from the nuisance.

(3) (i) An action may not be brought under this section until 60 days after THE COMMUNITY ASSOCIATION SENDS NOTICE TO the tenant, if any, and THE owner of record [receive notice from the community association] that a nuisance exists and that legal action may be taken if the nuisance is not abated.

(ii) The notice shall specify:

1. The nature of the alleged nuisance;
2. The date and time of day the nuisance was first discovered;
3. The location on the property where the nuisance is allegedly occurring; and
4. The relief sought in the action.

(iii) 1. The notice shall be provided to the tenant, if any, and the owner of record in the same manner as service of process in a civil in personam action under the Maryland Rules.

2. ADEQUATE AND SUFFICIENT NOTICE MAY BE GIVEN TO THE TENANT, IF ANY, AND THE OWNER OF RECORD BY SENDING A COPY OF THE NOTICE BY REGULAR MAIL AND POSTING A COPY OF THE NOTICE ON THE PROPERTY WHERE THE NUISANCE IS ALLEGEDLY OCCURRING, IF NOTICE SENT BY CERTIFIED MAIL IS:

- A. RETURNED UNCLAIMED OR REFUSED;
- B. DESIGNATED BY THE POST OFFICE TO BE UNDELIVERABLE FOR ANY OTHER REASON; OR
- C. SIGNED FOR BY A PERSON OTHER THAN THE ADDRESSEE.

(iv) In filing a suit under this section, an officer of the community association shall certify to the court: