

SUBJECT TO THE RIGHTS OF A LIENHOLDER TO SELL THE REAL PROPERTY, AN OWNER OR OWNER'S TENANT MAY REMAIN IN POSSESSION OF SEIZED REAL PROPERTY UNTIL FORFEITURE IS ORDERED.

(B) APPOINTMENT OF RECEIVER ALLOWED.

THE FORFEITING AUTHORITY MAY APPLY TO THE COURT FOR THE APPOINTMENT OF A RECEIVER TO APPLY INCOME FROM INCOME-PRODUCING PROPERTY.

(C) SURRENDER OF PROPERTY.

IF A PERSON WHO IS AN OWNER OR OWNER'S TENANT AND REMAINS IN POSSESSION OF THE REAL PROPERTY AND THE PERSON'S INTEREST IN THE REAL PROPERTY IS FORFEITED, THE PERSON SHALL IMMEDIATELY SURRENDER THE REAL PROPERTY TO THE SEIZING AUTHORITY IN SUBSTANTIALLY THE SAME CONDITION AS WHEN SEIZED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 297(p).

The defined term "seizing authority" is substituted for the former reference to a seizing "agency" to conform to the terminology used throughout this title.

Defined terms: "Forfeiting authority" § 12-101

"Lienholder" § 12-101

"Owner" § 12-101

"Person" § 1-101

"Property" § 12-101

"Real property" § 12-101

"Seizing authority" § 12-101

12-211. PROHIBITED ACTS.

(A) SCOPE.

THIS SECTION DOES NOT APPLY IF:

(1) AN ACT IS AGREED TO BY A FORFEITING AUTHORITY OR IS ORDERED BY THE COURT; OR

(2) AN OWNER POSTS A BOND UNDER § 12-208 OF THIS SUBTITLE.

(B) IN GENERAL.

SUBJECT TO SUBSECTION (A) OF THIS SECTION, UNTIL THE COURT ENTERS JUDGMENT IN FAVOR OF THE OWNER, AN OWNER MAY NOT ATTEMPT:

(1) TO CONVEY OR ENCUMBER AN INTEREST IN SEIZED REAL PROPERTY; OR

(2) TO REMOVE A BUILDING OR FIXTURE ON SEIZED REAL PROPERTY.