Defined terms: "Governing body" § 12–101
"Proceeds" § 12–101
"Property" § 12–101
"Seizing authority" § 12–101

12–404. TERMS OF SALE OF FORFEITED PROPERTY.

A SALE OF PROPERTY ORDERED UNDER THIS TITLE SHALL BE MADE FOR CASH AND GIVES THE PURCHASER CLEAR AND ABSOLUTE TITLE.

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

Defined term: "Property" § 12–101

SUBTITLE 5. LIENHOLDERS.

12–501. LIENHOLDER SALE OF SEIZED PROPERTY.

(A) NOTICE REQUIRED.

BEFORE EXERCISING THE RIGHT TO SELL PROPERTY THAT HAS BEEN SEIZED UNDER THIS TITLE, A LIENHOLDER SHALL GIVE TO THE FORFEITING AUTHORITY:

(1) WRITTEN NOTICE OF THE INTENTION TO SELL;

(2) COPIES OF DOCUMENTS GIVING RISE TO THE LIEN;

(3) AN AFFIDAVIT UNDER OATH BY THE LIENHOLDER:

(I) STATING THAT THE UNDERLYING OBLIGATION IS IN DEFAULT; AND

(II) STATING THE REASONS FOR THE DEFAULT.

(B) RELEASE OF PROPERTY ON REQUEST.

ON REQUEST OF THE LIENHOLDER, THE FORFEITING AUTHORITY SHALL RELEASE THE PROPERTY TO THE LIENHOLDER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 297(r)(2).

In subsection (a) of this section, the reference to "this title" is substituted for the former reference to "this section" in light of this revision, which has revised former Art. 27, § 297 as Title 12 of this article.

Subsection (b) of this section makes explicit what was only implied in the former law – that the forfeiting authority has the duty to release the property to the lienholder.

Defined terms: "Forfeiting authority" § 12–101
"Lienholder" § 12–101
"Property" § 12–101