

14-845.

(a) A court in the State may not reopen a judgment rendered in a tax sale foreclosure proceeding except on the ground of lack of jurisdiction or fraud in the conduct of the proceedings to foreclose; however, no reopening of any judgment on the ground of constructive fraud in the conduct of the proceedings to foreclose shall be entertained by any court unless an application to reopen a judgment rendered is filed within 1 year from the date of the judgment.

(b) If the judgment of the court foreclosing all rights of redemption is set aside, the amount required to redeem is the amount required by this subtitle, and in addition, the reasonable value, at the date the judgment is set aside, of all improvements made on the property and all costs incurred with respect to development of the property by the purchaser and the purchaser's successors in interest.

(c) **[(1)]** In Baltimore City, with respect to abandoned property THAT IS SUBJECT TO § 14-817(C) OF THIS SUBTITLE [, an action to reopen a judgment or to recover damages on the ground of constructive fraud or inadequate notice shall be filed within 3 years from the date of judgment.

(2) Damages in an action under paragraph (1) of this subsection may not exceed the fair market value of the property at the time of sale]:

(1) A DEFENDANT OR ANY PERSON DESCRIBED IN ~~§ 14-836(B)(4)(i)~~ § 14-836(B)(1) OR (4)(I) OF THIS SUBTITLE MAY FILE AN ACTION TO RECOVER DAMAGES ON THE GROUND OF INADEQUATE NOTICE WITHIN 3 YEARS AFTER THE DATE OF JUDGMENT FORECLOSING RIGHTS OF REDEMPTION;

(2) DAMAGES IN AN ACTION UNDER ITEM (1) OF THIS SUBSECTION MAY NOT EXCEED THE FAIR MARKET VALUE OF THAT PERSON'S INTEREST IN THE PROPERTY AT THE TIME OF THE SALE; AND

(3) A PERSON MAY NOT FILE TO REOPEN A JUDGMENT FORECLOSING RIGHTS OF REDEMPTION BASED ON INADEQUATE NOTICE.

(d) A court in the State may not reopen a judgment rendered in a foreclosure proceeding instituted by the Mayor and City Council of Baltimore City under former Article 81, §§ 117 through 121 of the Code unless an application to reopen the judgment is filed on or before June 30, 1987. After June 30, 1987, any judgment rendered under former Article 81, §§ 117 through 121 of the Code shall be deemed conclusively to have been ratified by all persons who might otherwise have grounds to object to the judgment.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2003.

Approved May 13, 2003.