

Defined terms: "County" § 1-101
"Program" § 10-501

10-509. PRIORITY OF PROCEEDINGS; FINAL JUDGMENT; LIEN.

(A) PRIORITY OF PROCEEDINGS.

PROCEEDINGS TO DETERMINE THE STATE'S RIGHT TO RECOVER AND THE AMOUNT OF ITS RECOVERY UNDER THE PROGRAM HAVE PRIORITY OVER OTHER CIVIL PROCEEDINGS IN THE CIRCUIT COURT.

(B) FINAL JUDGMENT; LIENS.

(1) AFTER A FULL ADVERSARY PROCEEDING, IF THE COURT FINDS THAT A DEFAULT DESCRIBED IN § 10-507(A) OF THIS SUBTITLE HAS OCCURRED, THE COURT SHALL ISSUE A FINAL JUDGMENT FOR THE AMOUNT THE COURT FINDS TO BE RECOVERABLE BY THE STATE.

(2) ALL PARTIES INVOLVED IN THE DEFAULT, INCLUDING THE OWNER OF THE PROPERTY, SHALL BE HELD JOINTLY AND SEVERALLY LIABLE TO THE STATE FOR THE AMOUNT OF THE JUDGMENT.

(3) IF THE COURT FINDS THAT A DEFAULT DESCRIBED IN § 10-507(A) OF THIS SUBTITLE HAS NOT OCCURRED OR IF THE COURT'S JUDGMENT IS PAID IN FULL TO THE STATE WITHIN 30 DAYS AFTER THE COURT'S FINAL ORDER, ANY TEMPORARY LIEN SHALL BE RELEASED IMMEDIATELY AND THE SECRETARY OF THE BOARD OF PUBLIC WORKS SHALL CAUSE THE RELEASE TO BE RECORDED IN THE LAND RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED.

(4) (I) IF THE JUDGMENT REMAINS UNPAID FOR MORE THAN 30 DAYS AFTER THE COURT'S FINAL ORDER, THE AMOUNT SHALL BE A LIEN ON THE PROPERTY.

(II) UNLESS THE STATE PROVIDES OTHERWISE IN A WRITTEN SUBORDINATION AGREEMENT, THE LIEN IS SUPERIOR TO A LIEN OR OTHER INTEREST OF ANY MORTGAGEE, PLEDGEE, PURCHASER, OR JUDGMENT CREDITOR WHOSE INTEREST BECAME PERFECTED AGAINST THIRD PERSONS AFTER THE STATE AWARDED A GRANT.

(C) EFFECTIVE DATE OF LIEN; NOTICE.

(1) A LIEN ISSUED UNDER THIS SECTION TAKES EFFECT ON THE LATER OF:

(I) THE 31ST DAY AFTER THE COURT'S FINAL ORDER IF THE SECRETARY OF THE BOARD OF PUBLIC WORKS RECORDS A NOTICE OF LIEN IN THE LAND RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED ON OR BEFORE THAT DAY; OR

(II) THE DATE A NOTICE OF LIEN IS RECORDED.

(2) (I) WHEN THE LIEN TAKES EFFECT, ANY TEMPORARY LIEN IS AUTOMATICALLY AND FULLY RELEASED.