

BE FORFEITED UNDER THIS SUBTITLE UNLESS ONE OF THE OWNERS OF THE PROPERTY WAS CONVICTED OF A VIOLATION OF THE MORTGAGE FRAUD LAW.

(2) WITHOUT A CONVICTION, A COURT MAY ORDER A FORFEITURE OF PROPERTY USED AS THE PRINCIPAL FAMILY RESIDENCE IF THE OWNER OF THE FAMILY RESIDENCE:

(I) FAILS TO APPEAR FOR A REQUIRED COURT APPEARANCE; AND

(II) FAILS TO SURRENDER TO THE JURISDICTION OF THE COURT WITHIN 180 DAYS AFTER THE REQUIRED COURT APPEARANCE.

(C) PROPERTY USED AS THE PRINCIPAL FAMILY RESIDENCE BY A HUSBAND AND WIFE AND HELD BY THE HUSBAND AND WIFE AS TENANTS BY THE ENTIRETY MAY NOT BE FORFEITED UNLESS:

(1) THE PROPERTY WAS USED IN CONNECTION WITH:

(I) A VIOLATION OF THE MORTGAGE FRAUD LAW; OR

(II) AN ATTEMPT OR CONSPIRACY TO VIOLATE THE MORTGAGE FRAUD LAW; AND

(2) BOTH THE HUSBAND AND WIFE ARE CONVICTED OF:

(I) A VIOLATION OF THE MORTGAGE FRAUD LAW; OR

(II) AN ATTEMPT OR CONSPIRACY TO VIOLATE THE MORTGAGE FRAUD LAW.

13-404.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, PROPERTY SUBJECT TO FORFEITURE UNDER THIS SUBTITLE MAY BE SEIZED IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN §§ 12-202, 12-203, AND 12-208 THROUGH 12-211 OF THIS ARTICLE.

(B) THE PROBABLE CAUSE REQUIRED UNDER § 12-202(A)(2)(V) OF THIS ARTICLE IS PROBABLE CAUSE TO BELIEVE THAT THE PROPERTY HAS BEEN USED OR IS INTENDED TO BE USED IN VIOLATION OF THE MORTGAGE FRAUD LAW.