

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1363

Sponsor:

Printer's No. 1962

1 Amend Bill, page 3, line 26, by striking out "4" and
2 inserting

3 4(b) and (d)(1)

4 Amend Bill, page 3, line 26, by inserting after "act "
5 are amended and the section

6 Amend Bill, page 3, by inserting between lines 29 and 30

7 (b) Contents.--The petition submitted to the court shall
8 include a sworn statement that, to the best of the petitioner's
9 knowledge, the property meets the conditions for conservatorship
10 set forth in section 5(d) and to the extent available to the
11 petitioner after reasonable efforts to obtain such information:

12 (1) A copy of any citation charging the owner with being
13 in violation of municipal code requirements or declaring the
14 building to be a public nuisance.

15 (2) A recommendation as to which person or entity should
16 be appointed conservator.

17 (3) A preliminary plan with initial cost estimates for
18 rehabilitation of the building to bring it into compliance
19 with all municipal codes and duly adopted plans for the area
20 in which the building is located and anticipated funding
21 sources.

22 (4) A schedule of mortgages, liens and other
23 encumbrances on the property.

24 * * *

25 (d) Notification of owner, political subdivisions and
26 lienholders.--

27 (1) Upon filing the petition with the court, the
28 petitioner shall notify the current owner of the property,
29 all political subdivisions in which the property is located,
30 all municipal authorities known to have provided service to
31 the property and all lienholders of the filing by registered
32 or certified mail to the last known address of each and by
33 posting a copy of the notice on the building.

34 * * *

35 Amend Bill, page 4, line 7, by inserting after "5(a), "

1 (c),

2 Amend Bill, page 4, by inserting between lines 14 and 15

3 (c) Hearing.--At the hearing, any party in interest shall be
4 permitted to present evidence to support or contest the
5 petition, including, but not limited to, the schedule of
6 encumbrances.

7 Amend Bill, page 5, line 1, by inserting after "HAS"

8 actively marketed the property during the preceding 60-
9 day period and

10 Amend Bill, page 5, line 2, by striking out ", DURING THE
11 PRECEDING 60-DAY PERIOD,"

12 Amend Bill, page 7, line 2, by inserting after "conservator"
13 , certify the schedule of encumbrances

14 Amend Bill, page 7, line 3, by inserting after "appropriate."

15 The certification shall be binding with respect to all
16 mortgages, liens and encumbrances, including municipal liens,
17 arising or attaching to the property prior to the date of the
18 petition.

19 Amend Bill, page 8, lines 15 through 19, by striking out "A
20 CONTRACT FOR SALE ENTERED INTO SUBSEQUENT TO THE" in line 15 and
21 all of lines 16 through 19 and inserting

22 Upon a finding that:

23 (1) the petition states conditions for conservatorship;

24 or

25 (2) the owner elects to either:

26 (i) remedy all violations and nuisance or emergency
27 conditions; or

28 (ii) sell the property subject to the
29 conservatorship,

30 the owner shall reimburse the petitioner for all costs
31 incurred by the petitioner in preparing and filing the
32 petition in accordance with the requirements of section 4.

33 Amend Bill, page 10, line 19, by striking out "AND (C)"

34 Amend Bill, page 11, lines 8 through 12, by striking out all
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