

(I) REAL PROPERTY AND ANYTHING GROWING ON OR ATTACHED TO REAL PROPERTY;

(II) PERSONAL PROPERTY; AND

(III) MONEY.

(2) "PROPERTY" DOES NOT INCLUDE A LESSOR'S INTEREST IN PROPERTY SUBJECT TO A BONA FIDE LEASE, UNLESS THE FORFEITING AUTHORITY CAN SHOW THAT:

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

(II) THE PROPERTY WAS THE PROCEEDS OF A VIOLATION OF THE MORTGAGE FRAUD LAW.

(I) "SEIZING AUTHORITY" HAS THE MEANING STATED IN § 12-101 OF THIS ARTICLE.

13-402.

THE FOLLOWING PROPERTY IS SUBJECT TO FORFEITURE:

(1) PROPERTY USED OR INTENDED FOR USE IN THE COURSE OF A VIOLATION OF THE MORTGAGE FRAUD LAW;

(2) PROPERTY DERIVED FROM OR REALIZED THROUGH A VIOLATION OF THE MORTGAGE FRAUD LAW; AND

(3) PROCEEDS OF PROPERTY DESCRIBED IN ITEM (1) OR (2) OF THIS SECTION.

13-403.

(A) PROPERTY OR AN INTEREST IN PROPERTY MAY NOT BE FORFEITED IF THE OWNER ESTABLISHES BY A PREPONDERANCE OF THE EVIDENCE THAT THE VIOLATION OF THE MORTGAGE FRAUD LAW WAS COMMITTED WITHOUT THE OWNER'S ACTUAL KNOWLEDGE.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, PROPERTY USED AS THE PRINCIPAL FAMILY RESIDENCE MAY NOT