

request of the Board of Public Works, the applicant shall submit evidence satisfactory to the Board that none of the proceeds of the grant have been or are being used for a purpose prohibited by this Act.

(8) The Board of Public Works shall make allocations from funds available under this Act in accordance with this Act. The Board shall certify the allocations to the proper State officers, and the Treasurer shall make payments to the applicant, when needed, for the approved project. The Board may adopt regulations for receiving and considering applications and for disbursing funds to applicants.

(9) If, within 15 years after completion of a project, a property with respect to which funds have been paid under this Act is sold or transferred to any person, agency, or organization that would not qualify as an applicant under this Act, or that is not approved as a transferee by the Board of Public Works, or if, within the same period, such a property ceases to be a "facility" as defined in this Act, then the State may recover from either the transferor or transferee or, in the case of a property that has ceased to be a "facility" as defined in this Act, from the owner, an amount bearing the same ratio to the then-current value of so much of the property as constituted an approved project as the amount of the State participation bore to the total eligible cost of the approved project, together with all cost costs and reasonable attorneys' fees incurred by the State in the recovery proceedings.

(a) Before the State makes any funds available for an approved project, the Department shall cause a notice of this right of recovery to be recorded in the land records of the county or Baltimore City in which the property is located. The recording of the notice shall not create any lien against the property; however, it shall constitute notice to any potential transferee, potential creditor, or other interested party of the possibility that the State may obtain a lien under this Act.

(b) In the event of an alleged sale or transfer as described above, or in the event that a property is alleged to have ceased to be a "facility" as defined in this Act, the Secretary of the Board of Public Works may file, in the circuit court for the county or Baltimore City in which the property is located, a claim under this Act (styled as a civil action against the owner of the property and any other interested parties, including any transferor that the State wishes to make a party), together with sworn affidavits stating facts on which the allegations of default are based, as well as a detailed justification of the amount claimed.

(i) If the circuit court determines from the State's initial filing that there is probable cause to believe that a default has occurred, the court shall authorize a