

HOUSE BILL 239

L2, N1

8lr0775

By: **Prince George's County Delegation**

Introduced and read first time: January 18, 2018

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 23, 2018

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – Sales of Residential Real Property – Community**
3 **Amenities – Advertising**

4 **PG 412–18**

5 FOR the purpose of ~~requiring any~~ altering requirements relating to advertising for the sale
6 of residential real property in a community development in Prince George's County
7 that will include a certain community amenity ~~to include a certain disclosure~~
8 ~~statement~~; requiring a copy of a certain recreational facilities agreement to be made
9 available to prospective purchasers in a certain location; requiring certain
10 information to be displayed in a certain manner in a certain office of a community
11 development; providing for the application of this Act; and generally relating to
12 community amenities in Prince George's County.

13 BY repealing and reenacting, with amendments,
14 Article – Real Property
15 Section 10–710
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2017 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Real Property**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 10-710.

2 (a) In this section, “community amenity” includes:

3 (1) A country club;

4 (2) A golf course;

5 (3) A health club;

6 (4) A park;

7 (5) A swimming pool;

8 (6) A tennis court; and

9 (7) A walking trail.

10 (b) (1) In Prince George’s County, a contract of sale for residential real
11 property that includes an agreement by the home builder to provide a community amenity
12 shall include a disclosure statement that:

13 (i) Identifies the community amenity provided in the contract of
14 sale; and

15 (ii) Specifies when the community amenity will be completed in
16 accordance with a recreational facilities agreement recorded with the Prince George’s
17 County Planning Department.

18 (2) The disclosure statement required under paragraph (1) of this
19 subsection shall be:

20 (i) Dated and signed by the purchaser and the home builder; and

21 (ii) Included in or attached to the contract of sale.

22 (3) A purchaser who does not receive the disclosure statement required
23 under paragraph (1) of this subsection on or before entering into the contract of sale has an
24 unconditional right, on written notice to the home builder, to rescind the contract of sale at
25 any time:

26 (i) Before the receipt of the disclosure statement; or

27 (ii) Within 5 days after receipt of the disclosure statement.

28 (c) Any advertising for **THE SALE OF RESIDENTIAL REAL PROPERTY IN** a
29 community development in Prince George’s County that will include a community amenity

1 shall include disclosure of the requirements under this section, ~~INCLUDING A~~
2 ~~DISCLOSURE STATEMENT THAT:~~

3 ~~(1) IDENTIFIES THE COMMUNITY AMENITY THAT WILL BE PROVIDED;~~
4 ~~AND~~

5 ~~(2) SPECIFIES WHEN THE COMMUNITY AMENITY WILL BE~~
6 ~~COMPLETED.~~

7 (d) In Prince George's County, a home builder that does not make the community
8 amenity available as provided in the contract of sale may be liable for breach of contract.

9 (E) IN PRINCE GEORGE'S COUNTY, A HOME BUILDER SHALL MAKE A COPY
10 OF ANY RECREATIONAL FACILITIES AGREEMENT RECORDED WITH THE PRINCE
11 GEORGE'S COUNTY PLANNING DEPARTMENT AVAILABLE TO PROSPECTIVE
12 PURCHASERS IN THE SALES OR MANAGEMENT OFFICE OF THE COMMUNITY
13 DEVELOPMENT.

14 (F) IN PRINCE GEORGE'S COUNTY, A HOME BUILDER SHALL DISPLAY THE
15 FOLLOWING INFORMATION IN THE SALES OR MANAGEMENT OFFICE OF THE
16 COMMUNITY DEVELOPMENT IN A LOCATION VISIBLE TO PROSPECTIVE
17 PURCHASERS:

18 (1) THE AMENITIES LISTED IN ANY RECREATIONAL FACILITIES
19 AGREEMENT RECORDED WITH THE PRINCE GEORGE'S COUNTY PLANNING
20 DEPARTMENT;

21 (2) A DETAILED SITE PLAN AND THE BUILDING PERMIT NUMBER OF
22 EACH AMENITY LISTED IN THE RECREATIONAL FACILITIES AGREEMENT; AND

23 (3) THE EXPECTED COMPLETION DATES OF EACH AMENITY AS
24 STATED IN THE RECREATIONAL FACILITIES AGREEMENT.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
26 apply only prospectively and may not be applied or interpreted to have any effect on or
27 application to any advertising for a community development located in Prince George's
28 County that will include a community amenity listed in a recreational facilities agreement
29 that is recorded with the Prince George's County Planning Department before the effective
30 date of this Act.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2018.