

Chapter 778

(House Bill 239)

AN ACT concerning

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

PG 412-18

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

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

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

Article – Real Property

10-710.

- (a) In this section, “community amenity” includes:
- (1) A country club;
 - (2) A golf course;
 - (3) A health club;
 - (4) A park;
 - (5) A swimming pool;
 - (6) A tennis court; and

(7) A walking trail.

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

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

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

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

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

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

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

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

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

(c) Any advertising for **THE SALE OF RESIDENTIAL REAL PROPERTY** IN a community development in Prince George's County that will include a community amenity shall include disclosure of the requirements under this section, ~~INCLUDING A DISCLOSURE STATEMENT THAT:~~

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

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

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

(E) IN PRINCE GEORGE'S COUNTY, A HOME BUILDER SHALL MAKE A COPY OF ANY RECREATIONAL FACILITIES AGREEMENT RECORDED WITH THE PRINCE

GEORGE'S COUNTY PLANNING DEPARTMENT AVAILABLE TO PROSPECTIVE PURCHASERS IN THE SALES OR MANAGEMENT OFFICE OF THE COMMUNITY DEVELOPMENT.

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

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

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

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

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

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

Approved by the Governor, May 15, 2018.