

HB1413/620615/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1413
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after “deposit;” insert “authorizing a certain landlord to require reimbursement from a tenant for the cost of a certain smoke alarm;”; and in line 22, after “time;” insert “altering the information about smoke alarms that must be included in a certain residential property disclosure statement; providing for the application of certain provisions of this Act;”.

On page 2, after line 14, insert:

“BY repealing and reenacting, with amendments,

Article – Real Property

Section 10-702(e)(2)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 5, after line 33, insert:

“(B) “SLEEPING AREA” MEANS A SPACE THAT INCLUDES ONE OR MORE SLEEPING ROOMS AND A HALL OR COMMON AREA IMMEDIATELY ADJACENT TO ANY SLEEPING ROOM.

“(C) “SLEEPING ROOM” MEANS AN ENCLOSED ROOM WITH A BED ARRANGED TO BE USED AS A BEDROOM.”.

On page 6, in lines 1 and 4, strike “(B)” and “(C)”, respectively, and substitute “(D)” and “(E)”, respectively.

(Over)

AMENDMENT NO. 3

On page 6, after line 27, insert:

“(A) THIS SECTION APPLIES ONLY TO NEW RESIDENTIAL UNITS CONSTRUCTED ON OR AFTER JULY 1, 2013.”;

and in line 28, strike “(A)” and substitute “(B)”.

On page 7, in lines 3, 7, 11, and 16, strike “(B)”, “(C)”, “(D)”, and “(E)”, respectively, and substitute “(C)”, “(D)”, “(E)”, and “(F)”, respectively; and in lines 15 and 20, in each instance, strike “(A)” and substitute “(B)”.

AMENDMENT NO. 4

On page 8, in line 15, after “PLACEMENT” insert “IN A ONE- OR TWO-FAMILY DWELLING”; in line 22, strike “A CHANGE OF OWNERSHIP OR”; in line 23, strike “THE” and substitute “A”; and in the same line, after “UNIT” insert “AND THE RESIDENTIAL UNIT HAS NOT PREVIOUSLY BEEN EQUIPPED IN ACCORDANCE WITH THIS SUBTITLE WITH SEALED LONG-LIFE BATTERY SMOKE ALARMS WITH SILENCE/HUSH BUTTON FEATURES WITHIN THE 10 YEARS PRECEDING THE CHANGE OF TENANT”.

AMENDMENT NO. 5

On page 10, in line 11, strike the first comma and substitute “AND”; in the same line, strike “, AND LANDLORDS”; and after line 15, insert:

“(F) A LANDLORD MAY REQUIRE REIMBURSEMENT FROM A TENANT FOR THE COST OF A SMOKE ALARM REQUIRED UNDER THIS SECTION.”

AMENDMENT NO. 6

On page 11, in line 3, after “(2)” insert “(1)”; in the same line, after “LANDLORD” insert “IN WRITING”; and strike in their entirety lines 5 through 7, inclusive, and substitute:

“(II) THE WRITTEN NOTIFICATION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE DELIVERED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED TO THE LANDLORD, OR BY HAND DELIVERY TO THE LANDLORD OR THE LANDLORD’S AGENT, AT THE ADDRESS USED FOR THE PAYMENT OF RENT.

“(III) IF THE DELIVERY OF THE NOTIFICATION IS MADE BY HAND AS DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE LANDLORD OR THE LANDLORD’S AGENT SHALL PROVIDE TO THE TENANT A WRITTEN RECEIPT FOR THE DELIVERY.

“(IV) THE LANDLORD SHALL PROVIDE WRITTEN ACKNOWLEDGMENT OF THE NOTIFICATION AND SHALL REPAIR OR REPLACE THE SMOKE ALARM WITHIN 5 CALENDAR DAYS AFTER THE NOTIFICATION.”.

AMENDMENT NO. 7

On page 12, after line 12, insert:

“Article – Real Property

10-702.

(e) (2) The disclosure form shall include a list of defects, including latent defects, or information of which the vendor has actual knowledge in relation to the following:

(Over)

- (i) Water and sewer systems, including the source of household water, water treatment systems, and sprinkler systems;
- (ii) Insulation;
- (iii) Structural systems, including the roof, walls, floors, foundation, and any basement;
- (iv) Plumbing, electrical, heating, and air conditioning systems;
- (v) Infestation of wood-destroying insects;
- (vi) Land use matters;
- (vii) Hazardous or regulated materials, including asbestos, lead-based paint, radon, underground storage tanks, and licensed landfills;
- (viii) Any other material defects of which the vendor has actual knowledge;
- (ix) Whether the smoke [detectors] ALARMS:
 1. [will] WILL provide an alarm in the event of a power outage;
 2. ARE OVER 10 YEARS OLD; AND
 3. IF BATTERY OPERATED, ARE SEALED, TAMPER RESISTANT UNITS INCORPORATING A SILENCE/HUSH BUTTON AND USE LONG-LIFE BATTERIES AS REQUIRED IN ALL MARYLAND HOMES BY 2018; and

(x) If the property relies on the combustion of a fossil fuel for heat, ventilation, hot water, or clothes dryer operation, whether a carbon monoxide alarm is installed on the property.”.