

HOUSE BILL 239

L2, N1

8lr0775

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

Introduced and read first time: January 18, 2018

Assigned to: Economic Matters

A BILL ENTITLED

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 advertising for the sale of residential real property in a
6 community development in Prince George's County that will include a certain
7 community amenity to include a certain disclosure statement; providing for the
8 application of this Act; and generally relating to community amenities in Prince
9 George's County.

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

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

17 **Article – Real Property**

18 10–710.

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

20 (1) A country club;

21 (2) A golf course;

22 (3) A health club;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (4) A park;
- 2 (5) A swimming pool;
- 3 (6) A tennis court; and
- 4 (7) A walking trail.

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

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

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

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

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

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

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

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

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

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

27 **(1) IDENTIFIES THE COMMUNITY AMENITY THAT WILL BE PROVIDED;**
28 **AND**

29 **(2) SPECIFIES WHEN THE COMMUNITY AMENITY WILL BE**
30 **COMPLETED.**

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

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

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