



Real Property Section

To: Environment and Transportation Committee (House)
From: Legislative Committee of the Real Property Section Counsel
Date: February 10, 2023 [Hearing Date February 14, 2023]
Subject: **HB 281 –Residential Property - Sales Contracts - Disclosures**
Position: **Opposed**

The Real Property Section Counsel of the Maryland State Bar Association (MSBA) **opposes** House Bill 281 –Residential Property - Sales Contracts – Disclosures.

The bill requires that a residential contract of sale include a notice of the property is located within a half mile of a “site listed on the superfund enterprise management site”, but the failure to so does not provide any remedy to the purchaser.

As a practical matter, many homeowners may not know that they live within a half mile of a superfund site, and if there are no consequences of not providing the notice, what is the point of the proposed legislation.

Should the legislature believe this proposed law is a good idea, we think that “terminated or cancelled” would be a better choice of words that “voided” in section B. And thought should be given as to how the “half mile” is measured.

For these reasons, the Real Property Section Counsel of the MSBA **opposes HB 281** and asks for an **unfavorable report**. Thank you for your consideration.