
By: **Delegates V. Mitchell, Hutchins, and Linton**
Introduced and read first time: February 11, 1998
Assigned to: Economic Matters

Committee Report: Favorable
House action: Adopted
Read second time: March 10, 1998

CHAPTER _____

1 AN ACT concerning

2 **Real Property - Disclosure - Accidental Death**

3 FOR the purpose of specifying that, for purposes relating to disciplinary actions
4 against licensed real estate brokers and applicants of certain licenses, an
5 accidental death is not a material fact relating to property for sale or lease;
6 specifying that an accidental death is not a material fact or latent defect relating
7 to property for sale or lease by an owner, seller, or agent; and generally relating
8 to the disclosure of material facts relating to property for sale or lease.

9 BY repealing and reenacting, without amendments,
10 Article - Business Occupations and Professions
11 Section 17-322(b)(4)
12 Annotated Code of Maryland
13 (1995 Replacement Volume and 1997 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - Business Occupations and Professions
16 Section 17-322.1(a)
17 Annotated Code of Maryland
18 (1995 Replacement Volume and 1997 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article - Real Property
21 Section 2-120(a)
22 Annotated Code of Maryland
23 (1996 Replacement Volume and 1997 Supplement)

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

3 **Article - Business Occupations and Professions**

4 17-322.

5 (b) Subject to the hearing provisions of § 17-324 of this subtitle, the
6 Commission may deny a license to any applicant, reprimand any licensee, or suspend
7 or revoke a license if the applicant or licensee:

8 (4) intentionally or negligently fails to disclose to any person with whom
9 the applicant or licensee deals a material fact that the licensee knows or should know
10 and that relates to the property with which the licensee or applicant deals;

11 17-322.1.

12 (a) For purposes of § 17-322(b) of this subtitle, it is not a material fact relating
13 to property offered for sale or lease that:

14 (1) an owner or occupant of the property is, was, or is suspected to be:

15 (i) infected with human immunodeficiency virus; or

16 (ii) diagnosed with acquired immunodeficiency syndrome; or

17 (2) a homicide, suicide, ACCIDENTAL DEATH, natural death, or felony
18 occurred on the property.

19 **Article - Real Property**

20 2-120.

21 (a) Under this title, it is not a material fact or a latent defect relating to
22 property offered for sale or lease that:

23 (1) An owner or occupant of the property is, was, or is suspected to be:

24 (i) Infected with human immunodeficiency virus; or

25 (ii) Diagnosed with acquired immunodeficiency syndrome; or

26 (2) A homicide, suicide, ACCIDENTAL DEATH, natural death, or felony
27 occurred on the property.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1998.

