

HOUSE BILL 673

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1999 Regular Session
(9r0290)

ENROLLED BILL

-- Commerce and Government Matters/Judicial Proceedings --

Introduced by **Montgomery County and Prince George's County Delegations**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Real Property - ~~Water and Sewer Authority~~ Washington Suburban Sanitary**
3 **Commission - Disclosure of Deferred Charges**
4 **MC/PG 17-99**

5 FOR the purpose of defining a certain term for purposes of certain provisions of law
6 requiring a contract for the initial sale of certain real property to disclose the
7 estimated cost of certain deferred water and sewer charges; providing for the
8 construction of this Act; and generally relating to deferred water and sewer
9 charges.

10 BY repealing and reenacting, with amendments,
11 Article - Real Property
12 Section 14-117(b)
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1998 Supplement)

1 BY repealing and reenacting, without amendments,
 2 Article - Real Property
 3 Section 14-117(c)
 4 Annotated Code of Maryland
 5 (1996 Replacement Volume and 1998 Supplement)

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

8 **Article - Real Property**

9 14-117.

10 (b) (1) IN THIS SUBSECTION, "WATER AND SEWER AUTHORITY" INCLUDES A
 11 PERSON TO WHICH THE DUTIES AND RESPONSIBILITIES OF ~~A WATER AND SEWER~~
 12 ~~AUTHORITY~~ THE WASHINGTON SUBURBAN SANITARY COMMISSION HAVE BEEN
 13 DELEGATED BY A WRITTEN AGREEMENT OR IN ACCORDANCE WITH A LOCAL
 14 ORDINANCE.

15 (2) A contract for the initial sale of improved, residential real property to
 16 a member of the public who intends to occupy or rent the property for residential
 17 purposes shall disclose the estimated cost, as established by the appropriate water
 18 and sewer authority, of any deferred water and sewer charges for which the purchaser
 19 may become liable. If the appropriate water and sewer authority has not established
 20 a schedule of charges for the water and sewer project that benefits the property or if
 21 a local jurisdiction has adopted a plan to benefit the property in the future, the
 22 contract of sale shall disclose that fact.

23 (c) Violation of subsection (b) of this section entitles the initial purchaser to
 24 recover from the seller:

25 (1) Two times the amount of deferred charges the purchaser would be
 26 obligated to pay during the 5 years of payments following the sale;

27 (2) No amount greater than actually paid thereafter; and

28 (3) Any deposit moneys actually paid by the purchaser that were lost as
 29 a result of violation of subsection (b) of this section.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be
 31 construed to affect the application of § 14-117(b) and (c) of the Real Property Article to
 32 a person to whom a water and sewer authority other than the Washington Suburban
 33 Sanitary Commission has delegated any duty or responsibility.

34 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
 35 effect October 1, 1999.

