

SENATE BILL 444

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1999 Regular Session  
9r1963  
CF 9r0290

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By: **Senator Lawlah**

Introduced and read first time: February 5, 1999  
Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 17, 1999

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Real Property - Water and Sewer Authority - Disclosure of Deferred Charges**

3 FOR the purpose of defining a certain term for purposes of certain provisions of law  
4 requiring a contract for the initial sale of certain real property to disclose the  
5 estimated cost of certain deferred water and sewer charges; and generally  
6 relating to deferred water and sewer charges.

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

12 BY repealing and reenacting, without amendments,  
13 Article - Real Property  
14 Section 14-117(c)  
15 Annotated Code of Maryland  
16 (1996 Replacement Volume and 1998 Supplement)

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

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**Article - Real Property**

2 14-117.

3 (b) (1) IN THIS SUBSECTION, "WATER AND SEWER AUTHORITY" INCLUDES A  
4 PERSON TO WHOM THE DUTIES AND RESPONSIBILITIES OF A WATER AND SEWER  
5 AUTHORITY HAVE BEEN DELEGATED BY A WRITTEN AGREEMENT OR IN  
6 ACCORDANCE WITH A LOCAL ORDINANCE.

7 (2) A contract for the initial sale of improved, residential real property to  
8 a member of the public who intends to occupy or rent the property for residential  
9 purposes shall disclose the estimated cost, as established by the appropriate water  
10 and sewer authority, of any deferred water and sewer charges for which the purchaser  
11 may become liable. If the appropriate water and sewer authority has not established  
12 a schedule of charges for the water and sewer project that benefits the property or if  
13 a local jurisdiction has adopted a plan to benefit the property in the future, the  
14 contract of sale shall disclose that fact.

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

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

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

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

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 1999.