
By: **Delegate Kach**
Introduced and read first time: March 2, 2001
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Mobile Homes - Contracts for Initial Sale - Standards and Guidelines**

3 FOR the purpose of specifying the applicability of certain standards and guidelines
4 adopted under certain federal legislation to a contract for the initial sale of a
5 mobile home; altering a certain definition; making a certain technical correction;
6 and generally relating to certain standards and guidelines applicable to
7 contracts for the initial sale of mobile homes.

8 BY repealing and reenacting, with amendments,
9 Article - Real Property
10 Section 14-117(j)
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 2000 Supplement)

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

15 **Article - Real Property**

16 14-117.

17 (j) (1) IN THIS SUBSECTION, "NEW HOME" INCLUDES A NEW MOBILE HOME.

18 (2) This subsection applies to Baltimore City and all other counties
19 except Montgomery County.

20 [(2)] (3) A contract for the initial sale of a new home, as defined in this
21 subtitle, shall include the following:

22 (i) The builder registration number of the seller of the new home;

23 (ii) A provision stating that the new home shall be constructed in
24 accordance with all applicable building codes in effect at the time of the construction
25 of the new home;

26 (iii) A provision referencing all performance standards or guidelines:

1 1. That the seller shall comply with in the construction of the
2 new home; and

3 2. That shall prevail in the performance of the contract and
4 any arbitration or adjudication of a claim arising from the contract; and

5 (iv) A provision detailing the purchaser's right to receive a
6 consumer information pamphlet as provided under the Home Builder Registration
7 Act.

8 [(3)] (4) The performance standards or guidelines described in
9 paragraph [(2)](3) of this subsection shall be:

10 (i) The performance standards or guidelines adopted at the time of
11 the contract [by]:

12 1. BY the National Association of Home Builders; OR

13 2. UNDER THE FEDERAL NATIONAL MANUFACTURED
14 HOUSING AND SAFETY STANDARDS ACT, TO THE EXTENT APPLICABLE;

15 (ii) Any performance standards or guidelines adopted by the home
16 builder and incorporated into the contract that are equal to or more stringent than
17 the performance standards OR GUIDELINES adopted at the time of the contract [by]:

18 1. BY the National Association of Home Builders; OR

19 2. UNDER THE FEDERAL NATIONAL MANUFACTURED
20 HOUSING AND SAFETY STANDARDS ACT, TO THE EXTENT APPLICABLE; or

21 (iii) Any performance standards or guidelines adopted at the time of
22 the contract by a county or municipal corporation that are equal to or more stringent
23 than the performance standards or guidelines adopted at the time of the contract
24 [by]:

25 1. BY the National Association of Home Builders; OR

26 2. UNDER THE FEDERAL NATIONAL MANUFACTURED
27 HOUSING AND SAFETY STANDARDS ACT, TO THE EXTENT APPLICABLE.

28 [(4)] (5) The information required by paragraph [(2)] (3) of this
29 subsection shall be printed in conspicuous type.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2001.