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By: **Frederick County Delegation**  
Introduced and read first time: February 1, 2006  
Assigned to: Environmental Matters

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 21, 2006

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CHAPTER\_\_\_\_\_

1 AN ACT concerning

2 **Frederick County - Real Property Sales - Disclosure**

3 FOR the purpose of requiring the vendor of a property subject to certain taxes or fees  
4 of a special taxing district or a community development authority to disclose  
5 certain information to the buyer within a certain period of time; providing for  
6 the manner in which certain information is disclosed to the buyer; providing for  
7 certain language that must be provided to the buyer; providing for the  
8 application of this Act; and generally relating to a requirement for the disclosure  
9 of certain information in connection with the sale of certain real property in  
10 Frederick County.

11 BY adding to  
12 Article - Real Property  
13 Section 10-704  
14 Annotated Code of Maryland  
15 (2003 Replacement Volume and 2005 Supplement)

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

18 **Article - Real Property**

19 10-704.

20 (A) IN FREDERICK COUNTY, THE VENDOR OF A PROPERTY THAT IS SUBJECT  
21 TO A TAX OR FEE OF A SPECIAL TAXING DISTRICT AS AUTHORIZED IN ARTICLE 23A, §  
22 44A(B) OF THE CODE OR BY A COMMUNITY DEVELOPMENT AUTHORITY AS  
23 AUTHORIZED IN § 2-7-125(B) OF THE PUBLIC LOCAL LAWS OF FREDERICK COUNTY

1 MAY NOT ENFORCE A CONTRACT FOR THE SALE OF THE PROPERTY UNLESS WITHIN  
2 20 CALENDAR DAYS AFTER ENTERING INTO THE CONTRACT, THE PURCHASER OF  
3 THE PROPERTY IS PROVIDED THE FOLLOWING INFORMATION IN WRITING:

4 (1) IN CONSPICUOUS, BOLD, AND UNDERSCORED TYPE, SUBSTANTIALLY  
5 THE SAME AS THE FOLLOWING CLAUSE:

6 "THIS SALE IS SUBJECT TO A TAX OR FEE OF A (SPECIAL TAXING DISTRICT OR  
7 COMMUNITY DEVELOPMENT AUTHORITY). STATE LAW REQUIRES THAT THE SELLER  
8 DISCLOSE TO YOU AT OR BEFORE THE TIME THE CONTRACT IS ENTERED INTO, OR  
9 WITHIN 20 CALENDAR DAYS AFTER ENTERING INTO THE CONTRACT, CERTAIN  
10 INFORMATION CONCERNING THE PROPERTY YOU ARE PURCHASING. THE CONTENT  
11 OF THE INFORMATION TO BE DISCLOSED IS SET FORTH IN § 10-704 OF THE REAL  
12 PROPERTY ARTICLE OF THE MARYLAND ANNOTATED CODE AND INCLUDES THE  
13 AMOUNT OF THE CURRENT ANNUAL TAX OR FEE OF THE (SPECIAL TAXING DISTRICT  
14 OR COMMUNITY DEVELOPMENT AUTHORITY) FOR THE PROPERTY, THE NUMBER OF  
15 YEARS REMAINING FOR THE TAX OR FEE OF THE (SPECIAL TAXING DISTRICT OR  
16 COMMUNITY DEVELOPMENT AUTHORITY), AND A STATEMENT OF WHETHER ANY TAX  
17 OR FEE OF THE (SPECIAL TAXING DISTRICT OR COMMUNITY DEVELOPMENT  
18 AUTHORITY) AGAINST THE PROPERTY IS DELINQUENT.";

19 (2) THE AMOUNT OF THE CURRENT ANNUAL TAX OR FEE OF THE  
20 SPECIAL TAXING DISTRICT OR COMMUNITY DEVELOPMENT AUTHORITY FOR THE  
21 PROPERTY;

22 (3) THE NUMBER OF YEARS REMAINING FOR THE TAX OR FEE OF THE  
23 SPECIAL TAXING DISTRICT OR COMMUNITY DEVELOPMENT AUTHORITY ON THE  
24 PROPERTY; AND

25 (4) WHETHER ANY TAX OR FEE OF THE SPECIAL TAXING DISTRICT OR  
26 COMMUNITY DEVELOPMENT AUTHORITY AGAINST THE PROPERTY IS DELINQUENT.

27 (B) THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION SHALL BE  
28 DEEMED FULFILLED IF THE INFORMATION REQUIRED TO BE PROVIDED TO THE  
29 PURCHASER IS DONE SO IN WRITING, IN A CLEAR AND CONCISE MANNER.

30 (C) THE STATEMENT REQUIRED UNDER SUBSECTION (A)(1) OF THIS SECTION  
31 MAY BE PROVIDED TO THE PURCHASER BY THE INCLUSION OF THE STATEMENT AS A  
32 CLAUSE IN THE CONTRACT FOR SALE OF THE PROPERTY.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
34 October 1, 2006, and shall be applicable to all contracts entered into on or after  
35 October 1, 2006.

