

HOUSE BILL 1012

N1

71r2518

By: **Delegate Proctor**

Introduced and read first time: February 9, 2007

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Home Builders – Disclosures in Contracts of Sale**

3 FOR the purpose of requiring that a home builder that agrees to provide a community
4 amenity to a community development must include certain information in the
5 contract of sale; providing that a home builder that fails to include certain
6 information in the contract of sale or fails to make a certain community amenity
7 available by a certain date shall return 10% of the contract price to the home
8 purchaser; and generally relating to the disclosure of certain information by a
9 home builder.

10 BY adding to

11 Article – Real Property

12 Section 10–705

13 Annotated Code of Maryland

14 (2003 Replacement Volume and 2006 Supplement)

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

17 **Article – Real Property**

18 **10–705.**

19 (A) **IN THIS SECTION, “COMMUNITY AMENITY” INCLUDES A:**

20 (1) **COUNTRY CLUB;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 **(2) GOLF COURSE;**
- 2 **(3) HEALTH CLUB;**
- 3 **(4) PARK;**
- 4 **(5) SWIMMING POOL;**
- 5 **(6) TENNIS COURT; AND**
- 6 **(7) WALKING TRAIL.**

7 **(B) A HOME BUILDER THAT AGREES TO PROVIDE A COMMUNITY**
8 **AMENITY TO A COMMUNITY DEVELOPMENT SHALL INCLUDE IN THE CONTRACT**
9 **OF SALE THE DATE BY WHICH THE COMMUNITY AMENITY WILL BE MADE**
10 **AVAILABLE.**

11 **(C) A HOME BUILDER SHALL RETURN 10% OF THE CONTRACT PRICE TO**
12 **THE PURCHASER IF:**

13 **(1) THE HOME BUILDER FAILS TO INCLUDE IN THE CONTRACT OF**
14 **SALE THE DATE BY WHICH THE COMMUNITY AMENITY WILL BE MADE**
15 **AVAILABLE; OR**

16 **(2) THE HOME BUILDER FAILS TO MAKE THE COMMUNITY**
17 **AMENITY AVAILABLE ON OR BEFORE THE DATE SPECIFIED IN THE CONTRACT OF**
18 **SALE.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2007.