

# HOUSE BILL 1286

N1

8lr2563

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By: **Delegate Jennings**

Introduced and read first time: February 8, 2008

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Real Property - Recordation of Deeds - Liability**

3 FOR the purpose of requiring certain persons that assume the duty of recording a deed  
4 in connection with a sale of property to record the deed in accordance with  
5 certain provisions within a certain time after the transfer of ownership;  
6 authorizing a purchaser of property to bring a certain action against a person  
7 that violates this Act and to recover a certain amount; providing that this Act  
8 does not limit the remedies that are otherwise available to a purchaser of  
9 property; and generally relating to recordation of deeds.

10 BY adding to

11 Article – Real Property

12 Section 3–503

13 Annotated Code of Maryland

14 (2003 Replacement Volume and 2007 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 **3–503.**

19 (A) IF A PERSON, AS PART OF A SERVICE PROVIDED FOR  
20 COMPENSATION IN CONNECTION WITH A SALE OF PROPERTY, ASSUMES THE  
21 DUTY OF RECORDING A DEED, THE PERSON SHALL RECORD THE DEED, OR  
22 CAUSE THE DEED TO BE RECORDED, IN ACCORDANCE WITH THIS TITLE WITHIN  
23 **180 DAYS AFTER THE TRANSFER OF OWNERSHIP.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(B) A PURCHASER OF PROPERTY MAY BRING AN ACTION AGAINST A**  
2 **PERSON THAT VIOLATES SUBSECTION (A) OF THIS SECTION TO RECOVER:**

3                   **(1) DAMAGES IN THE AMOUNT OF THE GREATER OF:**

4                           **(I) \$250; OR**

5                                   **(II) ACTUAL DAMAGES SUSTAINED BY THE PURCHASER AS A**  
6 **RESULT OF THE VIOLATION; AND**

7                   **(2) REASONABLE ATTORNEY'S FEES AND COSTS OF THE ACTION.**

8           **(C) THIS SECTION DOES NOT LIMIT THE RIGHTS AND REMEDIES THAT**  
9 **ARE OTHERWISE AVAILABLE TO A PURCHASER OF PROPERTY UNDER ANY**  
10 **OTHER LAW.**

11           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2008.