

# HOUSE BILL 885

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By: **Delegates Healey, Frush, Holmes, and Lafferty**

Introduced and read first time: February 12, 2009

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Rescission of Contract for Sale or Transfer of Residence in**  
3 **Default – Notice to Purchaser**

4 FOR the purpose of requiring that a certain seller of a residence in default provide a  
5 certain notice as a condition of exercising certain rights of rescission; requiring  
6 the notice to be provided in a certain manner before the execution of a certain  
7 contract; and generally relating to contracts for the sale or transfer of a  
8 residence in default.

9 BY repealing and reenacting, with amendments,  
10 Article – Real Property  
11 Section 7–310(a) and 7–313(c)  
12 Annotated Code of Maryland  
13 (2003 Replacement Volume and 2008 Supplement)

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

16 **Article – Real Property**

17 7–310.

18 (a) In addition to any other right under law to rescind a contract, the  
19 homeowner of a residence in default has the right to rescind a contract for the sale or  
20 transfer of the residence in default within 5 days after the execution of the contract, **IF**  
21 **THE HOMEOWNER HAS NOTIFIED THE PURCHASER IN WRITING, PRIOR TO THE**  
22 **EXECUTION OF THE CONTRACT, THAT THE SUBJECT PROPERTY IS A RESIDENCE**  
23 **IN DEFAULT.**

24 7–313.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (c)    [The] **IF THE HOMEOWNER HAS GIVEN THE PURCHASER THE NOTICE**  
2 **REQUIRED UNDER § 7-310(A) OF THIS SUBTITLE, THE** time during which the  
3 homeowner may rescind the contract for the sale or transfer of a residence in default  
4 under § 7-310 of this subtitle does not begin to run until the purchaser has complied  
5 with this section.

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2009.