

**Department of Legislative Services**  
Maryland General Assembly  
2023 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 1121 (Delegate Bridges)  
Environment and Transportation

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**Real Property - Residential Contracts of Sale - Buyer Privacy**

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This bill prohibits a contract of sale for single-family residential real property that an individual buyer executes with the services of a real estate broker from containing the name of the buyer prior to acceptance of the contract by the seller. The bill's provisions do not apply to a purchase by a corporate or other business entity or a fiduciary acting for the benefit of a third party. The bill also expresses the intent of the General Assembly to eliminate bias, intentional or otherwise, in housing decisions concerning the sale of single-family residential real property to an individual buyer by removing the name of the buyer from the contract of sale prior to acceptance of the contract by the seller. The bill applies prospectively and does not have any effect on or application to any residential contract of sale executed before the bill's October 1, 2023 effective date.

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**Fiscal Summary**

**State Effect:** The bill does not materially affect State operations or finances.

**Local Effect:** The bill does not materially affect local government operations or finances.

**Small Business Effect:** Minimal.

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**Analysis**

**Bill Summary:** Before or during the preparation of a residential contract of sale, the individual buyer must execute with the buyer's real estate broker (1) a buyer-broker agreement or (2) an unrepresented buyer agreement that identifies the buyer as an individual and states that the buyer has not represented the buyer's status as an individual, has not been convicted of fraud or a misrepresentation made in connection with the

purchase of residential real property, and intends to occupy the property as the buyer's principal place of residence.

The bill's provisions may not be interpreted to affect requirements regarding the identification of an individual buyer (1) in a deed or other instrument recorded in the land records; (2) in a mortgage application, mortgage, or deed of trust secured by residential real property; (3) marking the individual buyer's initials on the contract of sale as valid and binding according to the statute of frauds; or (4) on the residential contract of sale at the time of contract acceptance by the seller.

**Current Law:** In general, State law prohibits housing discrimination because of race, sex, color, religion, national origin, marital status, familial status, sexual orientation, gender identity, source of income, or disability.

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### **Additional Information**

**Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland Commission on Civil Rights; Office of the Attorney General (Consumer Protection Division); Judiciary (Administrative Office of the Courts); Department of Housing and Community Development; Maryland Department of Labor; Department of Legislative Services

**Fiscal Note History:** First Reader - March 2, 2023  
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