



House Bill 52 – Condominiums - Sales Contracts - Asbestos Disclosure

Position: Support with Amendments

Maryland REALTORS® supports the intent of HB 52, which seeks to ensure that homebuyers receive information about the presence of asbestos in multi-family housing.

The requested REALTOR® amendment involves deletion of newly added 11-135 (5)(IV), which appears on page 3, lines 10-12, and on the accompanying notice on page 5, lines 10-12.

Existing Maryland law already requires the owner of the property to disclose material facts about the property to the buyer under Maryland's Property Condition Disclosure Law. If the seller has knowledge of any hazardous materials present on the property, including asbestos, they must already disclose this to the buyer.

However, proposed language in HB 52 would require the unit owner to disclose the presence of asbestos or any abatement that has taken place on the entire site, including that which occurred outside of their unit or before they were a resident of the property in question. It would also require them to know specific dates of any abatement, which they did not schedule or direct themselves, or may not have been disclosed to them if the abatement was already completed.

REALTORS® believe that this information is better provided by the council of unit owners of the condominium, which has access to past records and information that individual unit owners do not. With this change, Maryland REALTORS® supports HB 52.

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