



House Bill 1121 – Real Property - Residential Contracts of Sale - Buyer Privacy

Position: Oppose

While Maryland REALTORS® strongly supports efforts to reduce discrimination in the home buying and selling process, we believe that HB 1121 creates unintended issues which greatly complicate completion of real estate transactions.

Under HB 1121, real estate agents are required to remove the name of an individual buyer within an offer to purchase residential real estate. Once a seller has reviewed the contract proposal and wants to accept it, the buyer's agent could then identify the buyer to the seller.

This legislation does not require a buyer's identity to be shielded on the disclosure and disclaimer form, nor on any mortgage pre-approval letter. As a result, either the buyer's name would still appear on these documents when the seller reviews the offer to purchase, or, these documents would not be disclosed to the seller until after acceptance, making it difficult for the seller to fully evaluate the strength of the offer.

Most importantly, this bill creates an "unrepresented buyer agreement" which is executed "through the buyer's real estate broker." This is not an agreement that can be executed under current Maryland real estate brokerage law.

Despite the above, Maryland REALTORS® is committed to working with the sponsor on a workable solution to this issue. We have proactively added a fair housing disclosure statement to our Residential Brokerage Agreements, whereby both buyers and sellers expressly agree to abide by all fair housing laws, including during the evaluation of contract offers.

REALTORS® seek every opportunity to address discrimination in the homebuying process but, because of its unintended consequences, we must request an unfavorable report on HB 1121.

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