



**House Bill 747 – Environment – On-Site Wastewater Systems – Requirements for Inspection and Pumping Services**

**Position: Unfavorable**

The REALTORS® oppose HB 747 which seeks to require an inspection and pump out of a septic system before sale or lease of the property. The REALTORS® appreciate the sponsor sharing proposed amendments with them.

HB 747 requires a single-family rental property to be subject to a septic inspection and pump out at least once every three years. The legislation also requires a buyer of single-family property to have a septic system inspected and pumped out as a condition of sale. Settlement may not occur until a report is issued verifying performance of the inspection and pump out. The “for sale” transfer inspection is also good for three years.

The REALTORS® believe that buyers have a responsibility to exercise due diligence in purchasing a property. If the condition of a septic system is important, the buyer has the right to request inspection of the system. This issue, like many others, becomes a point of negotiation between the seller and buyer. HB 747 forces a decision on both parties and then requires an additional disclosure before settlement that the inspection has been conducted. If similar requirements were made on other items of negotiation between the parties, there would be a second round of disclosures after contract signing and before settlement making the real estate sale even more complicated.

REALTORS® oppose removing flexibility for sellers and buyers in their negotiation and requests an unfavorable report.

**For more information contact [lisa.may@mdrealtor.org](mailto:lisa.may@mdrealtor.org) or  
[christa.mcgee@mdrealtor.org](mailto:christa.mcgee@mdrealtor.org)**