

Kelly Russell
Alderman, President Pro Tem



FREDERICK

MARYLAND

Chairman William C. Smith, Jr.
2 East
Miller Senate Office Building
Annapolis, MD 21401

March 16, 2021

LETTER OF SUPPORT HB0399 - REAL PROPERTY – REQUIRED NOTICES FOR CONTRACTS OF SALE – ZONES OF DEWATERING INFLUENCE

Dear Chairman Smith,

I support HB0399. I have worked closely with two residential constituents who experienced significant damage to their properties from sinkholes. These properties are within the Zone of Dewatering Influence as designated by the Maryland Department of the Environment (MDE) in 2000.

Most recently, the house at 25 Hamilton Avenue, in the ZOI, collapsed into a sinkhole. The elderly owner passed away just a couple of weeks earlier, so thankfully, the house was unoccupied. He did not have sinkhole insurance. He willed the property to the next-door neighbor at 27 Hamilton Avenue, Jennifer Nelson. The Nelson's house, where Ms. Nelson grew up, has also suffered significant foundation damage as a result of the sinkhole. The City has deemed it uninhabitable and the Nelsons have vacated it. It will be demolished at some point soon. The Nelson's did have sinkhole insurance, but it was luck, not deliberate choice, that they do. On the other side of the sinkhole is land owned by Habitat for Humanity and held in an affordable housing land trust. The house on the land is owned by a Habitat client with a disabled child. There is no sinkhole insurance on the property. Habitat for Humanity is working to acquire such a policy, but it has been challenging. Had they known about the ZOI at time of purchase, the decision to buy might likely have been different.

There are approximately 135 properties in the City that are in the ZOI. As of this writing, Maryland SDAT records show 114 of those 135 have transferred at least once. No disclosure of the ZOI by owners exists for purchasers. They should have that information to assess prior to purchase, and to acquire adequate insurance if purchased. A required disclosure to potential purchasers would provide this crucial information.

The City of Frederick urges you to vote in support of HB 0399.

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