



House Bill 399 – Real Property – Required Notices for Contracts of Sale – Zones of Dewatering Influence

Position: Support with Amendment

The Maryland REALTORS® support HB 399, which adds a notice to purchasers that the property they are considering is located in a zone of dewatering influence. State zones of dewatering influence cover Baltimore, Carroll, Frederick, and Washington Counties.

Zones of dewatering influence are susceptible to the formation of sinkholes. This disclosure would alert potential home buyers to available information from the Department of the Environment, and also to state level remedies should a sinkhole develop on their property.

The Maryland REALTORS® worked with Delegate Krimm to ensure the notice and cancellation language currently aligns with other required notices and disclosures given to buyers during a real estate transaction. And, by maintaining dewatering zone maps on a publicly accessible website, buyers will have timely access to the information needed to complete a real property purchase. The one change to the bill we request is to eliminate the underline requirement. Very little language in the contract is required to be underlined and we think highlighting information this way can become confusing if it becomes standard.

Maryland REALTORS® recommend a favorable report.

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AMENDMENTS TO HOUSE BILL 399
(First Reading File Bill)

AMENDMENT NO. 1

On page 5, line 2, strike “**CONSPICUOUS, BOLD AND UNDERSCORED TYPE,**” and substitute “**CONSPICUOUS AND BOLD TYPE,**”

RATIONALE

Very little information in the statewide real estate contract is underscored or bolded. This amendment will remove the required underscoring of the language but will still require that the language be conspicuous and bold. This change is more consistent with other elements of the contract that are bolded but not underscored, including: language about lead paint; the notice about the required property disclosure statement; location of the property in the Critical Areas; and the consumer’s right to select settlement service providers. Even with just the bolding, this language will stand out from most of the other contract provisions.