



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

February 20, 2022

The Honorable C. T. Wilson, Chairperson
Economic Matters Committee
Room 231
House Office Building
Annapolis, Maryland 21401

RE: Testimony of Maryland Legal Aid in Support of House Bill 52-
Condominiums - Sales Contracts - Asbestos Disclosure

Dear Chairperson Wilson and Members of the Committee:

Thank you for the opportunity to offer written testimony in favor of HB 52. Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents, including abused and neglected children, nursing home residents, and veterans. With 12 offices serving residents in each of Maryland's 24 jurisdictions, MLA advises and represents elderly and low-income persons in the areas of housing, consumer law, foreclosure, family law, children's rights, and administrative law benefits throughout Maryland. MLA submits this written testimony to this Committee at the request of Delegate Linda Foley and asks that this Committee give HB 52 a favorable report.

Maryland Legal Aid advises and represents low income consumers throughout Maryland on issues related to homeownership including mortgages, property taxes, and warranties. In the experience of our advocates once the purchase of a house or condominium is completed, it is very difficult to receive compensation if an undisclosed defect comes to light and the new owner is forced to make a costly repair. The burden to prevent such a situation really falls on the potential purchaser who must uncover defects before title is transferred. After purchase MLA clients and any new property owner often has to cobble together resources for repairs, stay with family or friends until their investment is habitable, and worry that their health or the health of their family is at risk because of structural issues or other defects.

HB 52 improves the protections and information available to purchasers of condominium units by requiring disclosure of the known presence and abatement of asbestos on the site where the condominium is located. Under current Maryland law, the part of the Real Property Article that addresses the presence of asbestos in condominium units does not include a provision that actual knowledge of the presence or abatement of this health and safety issue must be disclosed. Thus, owners and condominium council of directors can withhold knowledge of the presence or remediation of asbestos on the property. By amending the Real Property Article at Title 11, a seller and a condominium council of directors must be transparent about asbestos at the condominium site and whether any efforts have been undertaken to address the asbestos. Maryland Legal Aid supports HB 52 and asks that this Committee give it a favorable report.

Respectfully Submitted,

_____/s/Louise M. Carwell_____

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