

NEW LAWS AFFECTING HOME BUILDERS

2018 GENERAL ASSEMBLY

During the 2018 session, the General Assembly enacted the following laws affecting home builders, which are effective October 1, 2018:

- **Chapter 346 (HB 77)/Chapter 347 (SB 258):** *Condominiums: Unenforceability of Certain Provisions:* This bill makes unenforceable a provision of a condominium declaration, bylaw, or contract for the initial sale of a unit to a member of the public that:
 - Shortens the statute of limitations applicable to a claim;
 - Waives the application of the discovery rule to a claim;
 - Requires a unit owner or Council of Unit Owners to assert a claim subject to arbitration within a period of time that is shorter than the statute of limitations applicable to that claim; or
 - Otherwise operates to prevent a unit owner or Council of Unit Owners from asserting a claim within the applicable limitations period.

http://mgaleg.maryland.gov/2018RS/chapters_noln/Ch_346_hb0077T.pdf

- **Chapter 778 (HB 239):** *Prince George's County: Advertising of Community Amenities:* This bill requires a home builder to make a copy of any recreational facilities agreement recorded with Prince George's County available to prospective purchasers in the sales or management office of the community development and display the following in the sales or management office:
 - The amenities listed in the recreational facilities agreement;
 - A detailed site plan and the permit number for each amenity; and
 - The expected completion date of each amenity.

http://mgaleg.maryland.gov/2018RS/chapters_noln/Ch_778_hb0239T.pdf

- **Chapter 680 (HB 1481)/Chapter 681 (SB 648):** *New Home Sales: Information on Energy Efficient Options:* This bill provides that, in a development that contains 11 or more new homes, prior to the execution of a contract for the initial sale of a new home, a new home builder shall provide the purchaser with written information about any energy-efficient options that are available for installation in the home, including that tax credits may be available for such options. A contract for the initial sale of a new home

in a development that contains 11 or more new homes shall contain an acknowledgement that the purchaser was provided the written information about energy-efficient options.

http://mgaleg.maryland.gov/2018RS/chapters_noln/Ch_680_hb1481T.pdf