

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Rowe

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Stored – 11/04/19

Proofread by _____

Checked by _____

By: **Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Residential Property Advertisements and Sales – School**
3 **District Information**

4 **MC 20–20**

5 FOR the purpose of prohibiting a certain real estate broker, associate real estate broker, or
6 real estate salesperson from including the name of a certain school district in an
7 advertisement for the sale or rental of certain residential property in Montgomery
8 County; providing that certain provisions of law do not prohibit a certain real estate
9 broker, associate real estate broker, or real estate salesperson from including the
10 name of a certain school district in a certain written communication under certain
11 circumstances; requiring the State Real Estate Commission to enforce certain
12 provisions of law; requiring a contract for the sale of single-family residential real
13 property in Montgomery County to contain a certain notice concerning school district
14 boundary changes; establishing that a certain contract may not be voided under
15 certain circumstances; defining a certain term; and generally relating to notice of
16 school district information in the sale of residential real property in Montgomery
17 County.

18 BY adding to
19 Article – Business Occupations and Professions
20 Section 17–526.1

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

BY adding to
Article – Real Property
Section 10–711
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Business Occupations and Professions

17–526.1.

(A) IN THIS SECTION, “ADVERTISEMENT” HAS THE MEANING STATED IN §
17–527.2 OF THIS SUBTITLE.

(B) THIS SECTION APPLIES ONLY TO RESIDENTIAL PROPERTY IN
MONTGOMERY COUNTY.

(C) (1) A LICENSED REAL ESTATE BROKER, LICENSED ASSOCIATE REAL
ESTATE BROKER, OR LICENSED REAL ESTATE SALESPERSON MAY NOT INCLUDE THE
NAME OF THE SCHOOL DISTRICT IN WHICH A RESIDENTIAL PROPERTY IS LOCATED
IN AN ADVERTISEMENT FOR THE SALE OR RENTAL OF THE RESIDENTIAL PROPERTY
IN MONTGOMERY COUNTY.

(2) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO
NOT PROHIBIT A LICENSED REAL ESTATE BROKER, LICENSED ASSOCIATE REAL
ESTATE BROKER, OR LICENSED REAL ESTATE SALESPERSON FROM INCLUDING THE
NAME OF A SCHOOL DISTRICT IN A WRITTEN COMMUNICATION WITH A FACTUAL
DESCRIPTION OF THE FEATURES OF THE RESIDENTIAL PROPERTY AND THE
COMMUNITY IN WHICH THE RESIDENTIAL PROPERTY IS LOCATED IF THE WRITTEN
COMMUNICATION INCLUDES A NOTICE IN CONSPICUOUS TYPE STATING THAT
SCHOOL BOUNDARIES ARE NOT GUARANTEED AND MAY BE CHANGED AT ANY TIME.

(D) THE COMMISSION SHALL ENFORCE THE PROVISIONS OF THIS SECTION

1 AND, FOR THIS PURPOSE, MAY RECEIVE COMPLAINTS, CONDUCT INVESTIGATIONS,
2 ISSUE SUBPOENAS, AND HOLD HEARINGS.

3 **Article – Real Property**

4 **10-711.**

5 (A) A CONTRACT OF SALE FOR SINGLE-FAMILY RESIDENTIAL REAL
6 PROPERTY IN MONTGOMERY COUNTY SHALL INCLUDE THE FOLLOWING NOTICE
7 WRITTEN IN CONSPICUOUS, BOLD, AND UNDERSCORED TYPE:

8 “NOTICE TO HOME BUYER REGARDING MONTGOMERY COUNTY SCHOOL
9 DISTRICTS:

10 BY INITIALING THIS ADDENDUM, THE BUYER ACKNOWLEDGES THAT THE
11 MONTGOMERY COUNTY PUBLIC SCHOOL (MCPS) SCHOOLS, SCHOOL DISTRICT,
12 AND SCHOOL BOUNDARIES DESIGNATED FOR THIS PROPERTY ARE SUBJECT TO
13 CHANGE AT ANY TIME. THE BUYER HAS NO ASSURANCE THAT THE CURRENT MCPS
14 SCHOOL ASSIGNMENTS FOR THIS PROPERTY WILL REMAIN IN EFFECT FOR ANY
15 PERIOD OF TIME. THE MONTGOMERY COUNTY BOARD OF EDUCATION
16 PERIODICALLY REVIEWS AND AMENDS THE SCHOOL BOUNDARIES FOR EACH
17 SCHOOL AND IS ULTIMATELY RESPONSIBLE FOR ANY CHANGES TO THE ASSIGNED
18 SCHOOLS AND THEIR BOUNDARIES.”.

19 (B) A CONTRACT SUBJECT TO THE REQUIREMENTS OF SUBSECTION (A) OF
20 THIS SECTION MAY NOT BE VOIDED SOLELY BECAUSE:

21 (1) THE NOTICE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION
22 IS NOT INCLUDED IN THE CONTRACT; OR

23 (2) THE BUYER DOES NOT INITIAL THE NOTICE REQUIRED UNDER
24 SUBSECTION (A) OF THIS SECTION.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2020.