

JEANNIE HADDAWAY  
Legislative District 37B  
CAROLINE, DORCHESTER, TALBOT,  
AND WICOMICO COUNTIES



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## 2009 Realtors Report

### Foreclosure Laws

#### *Commercial and Residential Foreclosure Proceedings*

House Bill 798 was introduced by Delegate Jeannie Haddaway-Riccio and clarifies the definition of “residential property” in the section of Maryland’s law pertaining to residential foreclosure procedures. The new definition clarifies that only property intended for human habitation should be considered residential property for the purposes of foreclosure proceedings. The legislation was introduced in response to a court case in Talbot County that involved a commercial property in foreclosure.

MAR Position: No Position

Result: Passed in both houses unanimously; awaiting signature by the Governor

#### *Rescission of Contracts*

House Bill 885 would have allowed a homeowner of a residence in default to rescind a contract of sale on a residential property within five days after executing the contract. The homeowner would have been responsible for providing written notice to the purchaser.

MAR Position: The seller should be required to provide the notification.

Result: Failed in the House Environmental Matters Committee

## **Real Estate Agents**

### ***Real Estate Teams***

House Bill 1408 was introduced by the Department of Labor, Licensing and Regulation and would have established requirements for real estate agents working together as a team. The bill stated that realtors are operating as a team if they:

- work together on a regular basis to provide real estate brokerage services;
- represent themselves to the public as being part of one entity; and
- designate themselves by a collective name such as a team or a group.

It also required each team to designate a team leader who must be a licensed associate real estate broker or a licensed real estate salesperson with at least three years of experience.

MAR Position: Support

My Position: Voted in Favor

Result: Passed in the House; failed in the Senate for lack of action

### ***Continuing Education***

House Bill 1411 would have increased the continuing education requirements for realtors seeking to renew their license with the Maryland Real Estate Commission. Real estate brokers, branch office managers and team leaders would have been required to complete an additional three-hour course on broker supervision requirements prior to license renewal. The legislation also expanded authority to the Maryland Real Estate Commission to set fees for these continuing education courses.

MAR Position: Support

My Position: Voted Against

Result: Passed in the House; failed in the Senate for lack of action

## **Environmental Legislation**

### ***Growth & Planning***

Referred to as “Smart, Green and Growing” legislation, HB294 and HB297 were introduced by the O’Malley Administration in an effort to enhance communication between state and local governments on growth. Another similar bill, HB1116, was introduced by Delegate Lafferty (D-Baltimore County) and included goals that would have posed significant hardships for smaller jurisdictions without the resources to obtain those goals.

MAR Position: Supported HB294 and HB297; Opposed HB1116

My Position: Voted in Support of HB294 and HB297; Opposed HB1116

Result: HB294 and HB297 passed both Houses and are awaiting signature by the Governor; HB1116 failed in the House Environmental Matters Committee

### ***Septic Systems***

House Bill 176 was also introduced by Delegate Lafferty (D-Baltimore County) and prohibits the replacement of a failing septic system in the Critical Area unless it is replaced with a septic system that utilizes nitrogen removal technology. These systems cost on average \$12,000-\$25,000 more than traditional septic systems and the benefits they provide to the environment are questionable. While the Chesapeake Bay Restoration Fund could be used to help Maryland residents pay for these upgrades, the Maryland House of Delegates removed some of the revenue from this fund to help balance the budget. There is an \$8,000 penalty for people who fail to comply.

MAR Position: Opposed

My Position: Voted in Opposition and offered amendments on the House floor to reduce the burden on homeowners

Result: Passed both Houses and is awaiting signature by the Governor

For more information, please contact Delegate Jeannie Haddaway-Riccio’s office at (410) 820-8043 or send email to: [jeannie.haddaway@house.state.md.us](mailto:jeannie.haddaway@house.state.md.us).

For a complete list of bills considered during this year’s legislation session regarding real estate, go to: <http://mlis.state.md.us/2009rs/subjects/reale.htm>.