

# MAR and Maryland RPAC Legislative Accomplishments



## 2009

ACTION	BENEFIT
Defeated Stormwater Management bill that would have mandated new property taxes on all residential and commercial property	Saves Maryland property owners potentially hundreds of dollars each year
Defeated legislation that would have imposed a 10% real estate withholding tax on certain Maryland residents	Saves certain Maryland property owners thousands of dollars in prepayment of their income taxes on real estate sales
Defeated legislation that would have required compliant landlords to conduct a redundant lead dust test	Saves landlords hundreds of dollars in new testing costs for units that already comply with the Maryland lead law
Exempted real estate from legislation that would have forced all real estate agents to become employees	Saves real estate brokers thousands of dollars in employment taxes, and preserves agents income potential and independence
Passed legislation requiring sellers to disclose conservation easements before entering into a contract	Saves brokers and agents from litigation resulting from non-disclosure of conservation easements
Amended legislation that would have imposed costly septic requirements on ALL Maryland property owners using septic systems	Saves most Maryland homeowners on septic from having to install new technology costing thousands of dollars, and helps ensure grant money for the new technology for Maryland homeowners subject to the requirement

## 2008

Defeated legislation that would have imposed a property tax to fund affordable housing programs	Saves an average Maryland property owner about \$40 a year in new property taxes
Defeated legislation that would have given all municipal governments in Maryland authority to impose excise taxes	Saves Maryland buyers of newly constructed home potentially thousands of dollars
Defeated legislation that would have given	Saves home sellers and buyers potentially

municipalities authority to impose transfer taxes	thousands of dollars in additional transfer taxes
Defeated legislation that would have created “source of income” as a new protected class which would have forced landlords to participate in the now voluntary Section 8 housing program	Saves landlords hundreds of dollars from the additional inspection and lease provisions required of Section 8 participants
Defeated legislation that would have created a “retaliatory eviction” standard that would have forced many landlords to honor perpetual leases	Saves landlords thousands of dollars in attorney fees fighting an impossible standard to meet under law
Defeated legislation that would have required compliant landlords to conduct a redundant lead dust test	Saves landlords hundreds of dollars in new testing costs for units that already comply with the Maryland lead law
Stopped legislation that would have increased the amount of money consumers can recover from the real estate guarantee fund, and doubled the required minimum balance of the guarantee fund	Saves agents and brokers from ad hoc assessments to maintain the minimum balance
Passed legislation allowing real estate agents and broker to dispose of records after 5 years	Saves agents and brokers additional cost in maintaining old files

## 2007

Defeated legislation that would have imposed a 6% sales tax on real property management services	Saves Maryland renters and homeowners (living in managed communities) from the first imposed tax on real estate services
Defeated statewide impact fee	Saves Maryland buyers of new residential and commercial property potentially thousands of dollars in impact fees
Defeated legislation that would have given all municipal governments in Maryland authority to impose excise taxes	Saves Maryland buyers of newly constructed homes potentially thousands of dollars
Defeated legislation that would have given homeowner associations new legal authority to sue property owners	Saves homeowners potentially thousands of dollars in attorney fees
Defeated legislation that would have imposed a real estate withholding tax on certain Maryland residents	Saves certain Maryland property owners thousands of dollars in prepayment of their income taxes on real estate sales
Defeated legislation that would have decreased Maryland residency limits from 6 months to 3 months	Saves nonresident property owners thousands of dollars in tax payments they would have had to make if they lived in Maryland for only 3 months or more
Defeated “Do Not Mail” legislation	Saves agents and brokers from having to use more expensive media options to advertise their services
Passed legislation increasing the amount of money that government must pay property owners in an eminent domain proceeding	Gives thousands of dollars more in compensation to property owners whose property is seized by government action

## 2006

Defeated legislation that would have imposed excessive administrative penalties and liens against homeowners violating environmental laws even if it was the contractor hired by the homeowner who actually committed the violation	Saves homeowners thousands of dollars and possible foreclosure originating from actions by their contractors
---	--

Defeated legislation that would have created a “retaliatory eviction” standard that would have forced many landlords to honor perpetual leases	Saves landlords thousands of dollars in attorney fees fighting an impossible standard to meet under law
Passed legislation creating greater license reciprocity with other states	Saves agents and brokers hundreds of dollars in classroom and testing fees when applying for a license in a state that has reciprocity with Maryland

## 2005

Defeated legislation that would have imposed a 5% gross receipts tax on certain real estate companies	Saves agents and brokers in larger real estate companies thousands of dollars in gross receipts taxes on their commissions
Defeated legislation that would have imposed \$1,000 fines on improperly placed signs in a state highway right-of-way	Saves agents and brokers thousands of dollars in fines for improperly placed real estate and directional signs in state right-of ways
Defeated legislation that would have imposed costly new standards on all Maryland septic systems	Saves homeowners thousands of dollars in additional costs associated with replacing and maintaining septic systems
Passed legislation clarifying that homeowners must disclose latent defects in all transactions	Saves agents and brokers thousands of dollars in litigation costs resulting from nondisclosure of latent, material facts
Passed legislation allowing agents and brokers to form LLCs to receive commissions	Saves agents and brokers tax money by allowing them to be taxed through an LLC rather than a traditional corporation

## 2004

Defeated legislation that would have imposed a 5% sales tax on real property management services	Saves Maryland renters and homeowners living in managed communities from the first imposed tax on real estate services
Defeated legislation that would have given transfer tax power to 6 counties that do not have authority to levy transfer taxes	Saves Maryland property owners in those six counties thousands of dollars
Passed legislation regulating “name size” in real estate advertisements	Saves real estate agents and brokers potentially hundreds of dollars from not having to change signs and promotional materials to make the broker name and the agent name the same size
Passed legislation that decreased the mandated interest on rental security deposits from 4% to 3%	Saves landlords and property managers some money from the high security deposit interest rate

## 2003

Defeated legislation that would have created “source of income” as a new protected class which would have forced landlords to participate in the now voluntary Section 8 housing program	Saves landlords hundreds of dollars from the additional inspection and lease provisions required of Section 8 participants
Passed legislation to enact a Brownfields development program	Saves developers and property owners significant money in developing properties that had previously remained untouched due to concern over possible contaminants
Passed legislation providing commercial licensees with	Saves agents and brokers involved in a commercial

a license reciprocity for specific commercial deals	deal hundreds of dollars in classroom fees and testing when applying for commercial license in a reciprocal state
Amended legislation enacting the nonresident real estate withholding so that it would not apply to the full purchase price, would provide exemptions for transactions exempt from federal taxation, and removed the ability of the comptroller to place a lien on property	Saves home sellers thousands of dollars in withholding amounts that are based on net proceeds rather than purchase price, and that exempts many from the withholding completely in federally tax-exempt transactions

## 2002

Defeated legislation that would have imposed environmental fees and liens on homeowners	Saves homeowners from \$25,000 fines and liens on their property for violations of water pollution laws
Defeated legislation that would have required certain owners of underground storage tanks to test and inspect their tanks every two years	Saves homeowners near tributaries from the expense of inspecting underground tanks
Defeated legislation that would have created “source of income” as a new protected class which would have forced landlords to participate in the now voluntary Section 8 housing program	Saves landlords hundreds to thousands of dollars from the additional inspection and lease provisions required of Section 8 participants
Passed legislation that prohibits local governments from challenging the tax assessment of property off-cycle	Saves homeowners hundreds of dollars from local governments increasing their tax assessments before the normal triennial assessment process take place
Passed legislation allowing real estate agents to use nicknames in their advertising	Saves agents money from having to change a sign that already used nickname and was not compliant under previous law

## 2001

Defeated legislation that would have increased telephone taxes by 250%	Saves agents and brokers from higher telephone taxes
Defeated septic legislation that would have imposed costly new technology on new construction using septic systems	Saves new property owners thousands of dollars in costs related to new nitrogen removal technology
Passed education reform that, in part, permits agents and brokers to take classes on-line	Saves agents and brokers money from missing license renewal deadlines by giving them more continuing education credit options
Passed legislation giving the Real Estate Commission authority to fine non-licensees engaged in illicit real estate transactions	Saves agents and brokers money from lost deals conducted by unlicensed individuals

## 2000

Defeated septic legislation that would have imposed costly new technology on all Maryland properties using septic systems	Saves all Maryland property owners using septic systems thousands of dollars in costs related to new nitrogen removal technology
Defeated sewage sludge disclosure bill	Saves agents and brokers from having to disclose whether sewer sludge had been applied to certain properties adjacent to homes

Defeated legislation that would have given transfer tax power to 6 counties that do not have authority to levy transfer taxes	Saves Maryland property owners in those six counties thousands of dollars
Passed changes to the Homeowner Tax Credit Program	Saves the average low income individual hundreds of dollars at the closing table by allowing them to claim the credit at closing

## 1999

Passed mandatory semi-annual property tax legislation	Saves Maryland home sellers and buyers hundreds of dollars at the settlement table
Turned back efforts to require a real estate disclosure of automatic garage door openers	Saves agents and broker from having to disclose whether automatic garage door openers can automatically retract or not

## 1998

Defeated a mandated disclosure of airports	Saves agents and brokers from having to disclose the location of airports to certain properties
Passed agency legislation	Saves agents and brokers thousands of dollars in attorney fees resulting from litigation due to poorly defined agency duties under law at that time