

application of the goods or materials. Without regard to the extent of affixation, "home improvement" includes the installation of central heating or air conditioning systems, storm windows, awnings, or fire alarms.

(d) "Owner" means any homeowner, tenant, or any other person who orders, contracts for or purchases the home improvement services of a contractor, or the person entitled to the performance of the work of a contractor pursuant to a home improvement contract.

(e) "Contractor" means any person, other than a bona fide employee of the owner, who undertakes or offers to undertake or agrees to perform any home improvement, whether or not such person is licensed or subject to the licensing requirements of this subtitle, and whether or not such person is a prime contractor or subcontractor with respect to the owner.

(f) "Home Improvement Contract" means an agreement, whether oral or written, or contained in one or more documents, between a contractor and an owner for the performance of a home improvement, and includes all labor, services and materials to be furnished and performed thereunder.

(g) "Salesman" means any individual who (i) negotiates or offers to negotiate a home improvement contract with an owner, or (ii) solicits or otherwise endeavors to procure by telephone or in person, a home improvement contract from an owner on behalf of a contractor, or for himself should the salesman be also the contractor, whether or not such person is licensed or subject to the licensing requirements of this sub-title.

(h) "Commission" means the Maryland Home Improvement Commission.

(i) "City" includes Baltimore City.

#### 250. Maryland Home Improvement Commission; Creation and Composition.

(a) There is created the Maryland Home Improvement Commission which consists of five members.

(b) Each member of the Commission shall be appointed by the Governor for a term of four years, except that when a vacancy occurs before the expiration of a term, the Governor shall appoint the successor to serve for the remainder of the term. One of the members shall be designated chairman by the Governor.

(c) The Governor shall appoint as members of the Commission, no less than two persons who are qualified by experience in at least some phase of the home improvement industry, and no less than one person who is qualified by experience in the business of banking or finance. Each member shall have been a citizen and resident of this State for not less than five years preceding his appointment.

#### 251. General Duties and Powers of the Commission; Rule Making

(a) It is the duty of the Commission to administer and provide for the enforcement of all the provisions of this subtitle. The