

2. ~~CONTENTS, AND~~

~~(IV) ADVISE THE APPLICANT TO CONFIRM THE NEED FOR FLOOD INSURANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM OR THE APPLICANT'S MORTGAGE LENDER.~~

~~(D) (1) AN INSURER OR INSURANCE PRODUCER SHALL DELIVER TO THE APPLICANT THE OFFER TO SELL FLOOD INSURANCE.~~

~~(2) THE OFFER TO SELL FLOOD INSURANCE SHALL INCLUDE A SPACE TO INDICATE THE APPLICANT'S ACCEPTANCE OR REJECTION OF FLOOD INSURANCE.~~

~~(E) IF THE INSURER OR INSURANCE PRODUCER FROM WHOM THE APPLICANT PROCURES HOMEOWNER'S INSURANCE DOES NOT SELL FLOOD INSURANCE, THE INSURER OR INSURANCE PRODUCER SHALL FURNISH THE APPLICANT WITH THE CONTACT INFORMATION FOR THE NATIONAL FLOOD INSURANCE PROGRAM.~~

(C) A NOTICE REQUIRED TO BE SENT BY CERTIFICATE OF MAILING UNDER THIS SECTION MAY BE SENT WITH THE STATEMENT REQUIRED UNDER § 19-207 OF THIS ARTICLE.

~~(F) (D) A NOTICE PROVIDED UNDER THIS SECTION DOES NOT CREATE A PRIVATE RIGHT OF ACTION.~~

19-207.

(A) (1) AN INSURER OR AN INSURANCE PRODUCER THAT SELLS OR NEGOTIATES HOMEOWNER'S INSURANCE IN THE STATE SHALL PROVIDE AN APPLICANT, AT THE TIME OF APPLICATION FOR HOMEOWNER'S INSURANCE, WITH A WRITTEN STATEMENT THAT LISTS ALL ADDITIONAL OPTIONAL COVERAGE AVAILABLE FROM THE INSURER TO THE APPLICANT.

~~(2) THE INSURER OR INSURANCE PRODUCER SHALL OBTAIN THE APPLICANT'S SIGNATURE ON THE STATEMENT.~~

~~(3) (4) IF AN APPLICATION IS MADE BY TELEPHONE OR USING THE INTERNET, THE INSURER OR INSURANCE PRODUCER IS DEEMED TO BE IN COMPLIANCE WITH THIS SECTION IF, WITHIN 2 BUSINESS 7 CALENDAR DAYS AFTER THE DATE OF APPLICATION, THE INSURER OR INSURANCE PRODUCER MAILS SENDS BY CERTIFICATE OF MAILING THE STATEMENT TO THE APPLICANT OR INSURED AND REQUESTS THE APPLICANT OR INSURED TO SIGN THE STATEMENT.~~

~~(H) IF THE APPLICANT OR INSURED DOES NOT RETURN A SIGNED STATEMENT WITHIN 60 DAYS AFTER THE DATE THE STATEMENT WAS MAILED, THERE IS A CONCLUSIVE PRESUMPTION THAT THE INSURER OR INSURANCE PRODUCER HAS COMPLIED WITH THE REQUIREMENTS OF THIS SECTION.~~

~~(HI) THE INSURER OR INSURANCE PRODUCER SHALL HAVE THE BURDEN OF DEMONSTRATING, IN ACCORDANCE WITH THE MARYLAND RULES OF EVIDENCE, OR AS OTHERWISE REQUIRED BY LAW, THAT THE STATEMENT WAS MAILED TO THE APPLICANT OR INSURED.~~