

CHAPTER 710

(House Bill 1606)

AN ACT concerning

Unfair or Deceptive Trade Practices - Realty -
Consequential Damages

FOR the purpose of establishing that it is an unfair or deceptive trade practice for a seller of consumer realty to use a contract for the sale of single family residential realty that contains a clause that limits the buyer's right to obtain consequential damages under certain circumstances.

BY repealing and reenacting, with amendments,

Article - Commercial Law
Section 13-301(12), (13), and (14)
Annotated Code of Maryland
(1983 Replacement Volume and 1984 Supplement)

BY adding to

Article - Commercial Law
Section 13-301(13)
Annotated Code of Maryland
(1983 Replacement Volume and 1984 Supplement)

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

Article - Commercial Law

13-301.

Unfair or deceptive trade practices include any:

(12) Use of a contract related to a consumer transaction which contains a confessed judgment clause that waives the consumer's right to assert a legal defense to an action; [or]

(13) USE BY A SELLER, WHO IS IN THE BUSINESS OF SELLING CONSUMER REALTY, OF A CONTRACT RELATED TO THE SALE OF SINGLE FAMILY RESIDENTIAL CONSUMER REALTY, INCLUDING CONDOMINIUMS AND TOWNHOUSES, THAT CONTAINS A CLAUSE LIMITING OR PRECLUDING THE BUYER'S RIGHT TO OBTAIN CONSEQUENTIAL DAMAGES AS A RESULT OF THE SELLER'S BREACH OR CANCELLATION OF THE CONTRACT;

[(13)] (14) Violation of a provision of: