

6-837.

A QUALIFIED OFFER SHALL BE TREATED AS AN OFFER OF COMPROMISE FOR PURPOSES OF ADMISSIBILITY IN EVIDENCE, NOTWITHSTANDING THAT THE AMOUNT IS NOT IN CONTROVERSY.

6-838.

(A) AN OWNER OF AN AFFECTED PROPERTY THAT IS NOT IN COMPLIANCE WITH THE PROVISIONS OF PART IV OF THIS SUBTITLE DURING THE PERIOD OF RESIDENCY OF THE PERSON AT RISK IS PRESUMED TO HAVE FAILED TO EXERCISE REASONABLE CARE WITH RESPECT TO LEAD HAZARDS DURING THAT PERIOD IN AN ACTION SEEKING DAMAGES FOR ALLEGED INJURY OR LOSS CAUSED BY THE INGESTION OF LEAD BY A PERSON AT RISK IN THE AFFECTED PROPERTY.

(B) THE OWNER HAS THE BURDEN OF REBUTTING THE PRESUMPTION ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION BY A PREPONDERANCE OF THE EVIDENCE.

6-839.

(A) WHENEVER A QUALIFIED OFFER IS MADE UNDER THIS PART, THE QUALIFIED OFFER SHALL INCLUDE PAYMENT FOR REASONABLE EXPENSES AND COSTS UP TO THE AMOUNT SPECIFIED IN § 6-840 OF THIS SUBTITLE FOR:

(1) THE RELOCATION OF THE HOUSEHOLD OF THE PERSON AT RISK TO LEAD-SAFE HOUSING OF COMPARABLE SIZE AND QUALITY THAT MAY PROVIDE:

(I) THE PERMANENT RELOCATION OF THE HOUSEHOLD OF THE AFFECTED PERSON AT RISK TO LEAD-SAFE HOUSING, INCLUDING RELOCATION EXPENSES, A RENT SUBSIDY, AND INCIDENTAL EXPENSES; OR

(II) THE TEMPORARY RELOCATION OF THE HOUSEHOLD OF THE AFFECTED PERSON AT RISK TO LEAD-SAFE HOUSING WHILE NECESSARY LEAD HAZARD REDUCTION TREATMENTS ARE BEING PERFORMED IN THE AFFECTED PROPERTY TO MAKE THAT AFFECTED PROPERTY LEAD-SAFE; AND

(2) MEDICALLY NECESSARY TREATMENT FOR THE AFFECTED PERSON AT RISK AS DETERMINED BY THE TREATING PHYSICIAN OR OTHER HEALTH CARE PROVIDER OR CASE MANAGER OF THE PERSON AT RISK THAT IS NECESSARY TO MITIGATE THE EFFECTS OF LEAD POISONING, AS DEFINED BY THE DEPARTMENT BY REGULATION, AND, IN THE CASE OF A CHILD, UNTIL THE CHILD REACHES THE AGE OF 18 YEARS.

(B) AN OFFEROR IS REQUIRED TO PAY REASONABLE EXPENSES FOR THE MEDICALLY NECESSARY TREATMENTS UNDER SUBSECTION (A)(2) OF THIS SECTION IF COVERAGE FOR THESE TREATMENTS IS NOT OTHERWISE PROVIDED BY THE MARYLAND MEDICAL ASSISTANCE PROGRAM UNDER TITLE 15, SUBTITLE 1 OF THE HEALTH - GENERAL ARTICLE OR BY A THIRD-PARTY HEALTH INSURANCE PLAN UNDER WHICH THE AFFECTED PERSON AT RISK HAS COVERAGE OR IN WHICH THE PERSON AT RISK IS ENROLLED.