

- (1) The granting of a deed to the property on which the residential unit is located to the purchaser;
- (2) The return of the sum of money to the purchaser; or
- (3) The forfeiture of the sum by the purchaser, under the terms of the contract of sale relating to the purchase of the residential unit.

[(c) A vendor or builder does not violate the vendor's or builder's legal or ethical duties under this section by paying interest money earned on the escrow account into the Housing Resource Fund established under Title 13, Subtitle 6 of the Financial Institutions Article.]

10-301.1.

(a) A vendor or builder may deposit trust moneys in:

- (1) A noninterest bearing checking account;
- (2) One or more savings accounts; or
- (3) Any combination of accounts in any bank or savings and loan association authorized by federal or State law to do business in the State.

[(b) If in the judgment of the vendor or builder, trust moneys received from a client or beneficial owner are too small in amount or are reasonably expected to be held for too short a period of time to generate an amount of interest that, in the judgment of the vendor or builder, may be equivalent to the cost or administration of an account for the benefit of the client or beneficial owner, the trust moneys may be pooled and commingled by the vendor or builder with other moneys held for other clients or beneficial owners for charitable purposes under this section.

(c) The aggregate interest earned on a commingled account minus any service charges shall be paid at least quarterly by the depository bank or savings and loan association to the Maryland Housing Resource Corporation exclusively for the charitable purposes defined in its statutory charter.]

[(d)](B) [(1) The implementation of programs for the generation of interest on vendors' or builders' trust accounts for charitable purposes under this section shall be optional, not mandatory, and no vendor or builder shall be liable for civil damages if the vendor or builder continues to maintain trust moneys in noninterest bearing checking accounts separate and apart from the vendor's or builder's own funds as required under § 10-301 of this article.

(2) Except for trust moneys placed by the vendor or builder in a commingled account for charitable purposes under this section, trust] TRUST moneys in the hands of the vendor or builder may be invested in any other investment vehicle specified by the client or beneficial owner or as they and the licensee may agree.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1995.