

~~(2)~~ This subsection applies to Baltimore City and all other counties except Montgomery County.

~~[(2)]~~ ~~(2)~~ A contract for the initial sale of a new home, as defined in ~~this subtitle~~ THE MARYLAND HOME BUILDER REGISTRATION ACT, shall include the following:

- (i) The builder registration number of the seller of the new home;
- (ii) A provision stating that the new home shall be constructed in accordance with all applicable building codes in effect at the time of the construction of the new home;
- (iii) A provision referencing all performance standards or guidelines:
  1. That the seller shall comply with in the construction of the new home; and
  2. That shall prevail in the performance of the contract and any arbitration or adjudication of a claim arising from the contract; and
- (iv) A provision detailing the purchaser's right to receive a consumer information pamphlet as provided under the Home Builder Registration Act.

~~[(3)]~~ ~~(4)~~ The performance standards or guidelines described in paragraph ~~[(2)]~~ ~~(3)~~ of this subsection shall be:

- (i) The performance standards or guidelines adopted at the time of the contract [by]:
  1. BY the National Association of Home Builders; OR
  2. UNDER THE FEDERAL NATIONAL MANUFACTURED HOUSING AND SAFETY STANDARDS ACT, TO THE EXTENT APPLICABLE;
- (ii) Any performance standards or guidelines adopted by the home builder and incorporated into the contract that are equal to or more stringent than the performance standards OR GUIDELINES adopted at the time of the contract [by]:
  1. BY the National Association of Home Builders; OR
  2. UNDER THE FEDERAL NATIONAL MANUFACTURED HOUSING AND SAFETY STANDARDS ACT, TO THE EXTENT APPLICABLE; or
- (iii) Any performance standards or guidelines adopted at the time of the contract by a county or municipal corporation that are equal to or more stringent than the performance standards or guidelines adopted at the time of the contract [by]:
  1. BY the National Association of Home Builders; OR
  2. UNDER THE FEDERAL NATIONAL MANUFACTURED HOUSING AND SAFETY STANDARDS ACT, TO THE EXTENT APPLICABLE.