(vii)   Any loss or damage that arises while the home is being used primarily for nonresidential purposes;

(viii)   Any damage to the extent it is caused or made worse by negligence, improper maintenance or improper operations by anyone other than the builder or its employees, agents, or subcontractors;

(ix)   Any damage to the extent it is caused or made worse by changes of the grading of the ground by anyone other than the builder, its employees, agents, or subcontractors; and

(x)   Any loss or damage caused by acts of God.

(b)   A builder who has disclosed that the builder participates in a new home warranty security plan shall:

(1)   Furnish to the owner at the time of the purchase or construction contract:

(i)   The name and phone number of the builder's new home warranty security plan;

(ii)   Details of the warranty coverage provided under the plan; and

(iii)   In a form to be determined by the [Secretary] DIVISION, evidence that:

1.   The builder currently is a participant in good standing with a plan that satisfies the requirements of § 10–606(a) of this subtitle; and

2.   The new home is eligible for registration or has been registered in the builder's new home warranty security plan;

(2)   [(i)] Disclose to the owner [any] AT THE TIME OF THE PURCHASE OR CONSTRUCTION CONTRACT:

(I)   ANY actual knowledge that the builder has of any hazardous or regulated materials, including asbestos, lead–based paint, radon, methane, underground storage tanks, licensed landfills, unlicensed landfills, licensed rubble fills, unlicensed rubble fills, or other environmental hazards, present on the site of the new home; or

(ii)   [Disclose to the owner that] THAT the builder is making no representations or warranties as to whether there is any hazardous or regulated material on the site of the new home; and

(3)   Either:

(i)   Provide the new home with a new home warranty if the builder belongs to a new home warranty security plan that:

1.   Requires the builder to register every new home that the builder builds; or