

DRAFTER'S NOTE:

Error: Omitted words in § 8A-301(c) of the Real Property Article.

Occurred: Ch. 843, Acts of 1980.

9-204.

(a) This subtitle applies to contracts subject to [Title 13, Subtitle 5] TITLE 17, SUBTITLE 1 of the State Finance and Procurement Article, known as the "MARYLAND Little Miller Act", as well as property subject to § 9-102 of this title.

DRAFTER'S NOTE:

Error: Obsolete cross-reference in § 9-204(a) of the Real Property Article.

Occurred: As a result of Ch. 48, Acts of 1988, which added a new Division II to the State Finance and Procurement Article.

10-604.

(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:

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

1. The builder currently is a participant in good standing with a plan that satisfies the requirements of [§ 10-706(a)] § 10-606(A) of this [title] SUBTITLE; and

(2) Either:

(ii) If the builder belongs to a new home warranty security plan that does not require the builder to register every new home and the builder has not decided whether or not to sell the new home with a new home warranty, give the owner the option of:

2. Waiving the right to warranty coverage by making the affirmative waiver described in [§ 10-707] § 10-607 of this [title] SUBTITLE.

(c) (1) If the purchase or construction contract provides that the new home shall be covered by a new home warranty under a new home warranty security plan it shall constitute a material breach of the contract if either:

(i) The builder was not a participant in good standing on the date of the contract with a new home warranty security plan that satisfies the requirements of [§ 10-706(a)] § 10-606(A) of this [title] SUBTITLE; or