



MONTGOMERY COUNTY NOTICES AND DISCLOSURES

Seller(s): _____

Buyer(s): _____

Property Address: _____

FAIR HOUSING

In compliance with Federal Fair Housing regulations, properties shall be made available to all persons without regard to race, color, religion, national origin, sex, handicap and familial status. Montgomery County recognizes additional protected classes. Both Seller and Purchaser are advised to visit <https://www.montgomerycountymd.gov/humanrights/Resources/Files/fairhousinglaws.pdf> to familiarize themselves with fair housing laws in the county.

TRANSFER AND RECORDATION FEES:

A. IN GENERAL. If Buyer is NOT a first-time Maryland homebuyer, payment of Recordation Taxes and State and local Transfer Taxes will be divided equally between Buyer and Seller unless otherwise stated in the Contract of Sale. Buyer shall be entitled to receive the benefit of any local owner-occupancy reduction offered by the jurisdiction where the property is located.

B. FIRST-TIME MARYLAND HOMEBUYER. Maryland law provides that the amount of state transfer tax due on the sale of property to a first-time Maryland homebuyer is reduced from 0.50% to 0.25% and shall be paid entirely by the Seller. Payment of Recordation Taxes and local Transfer Taxes will be divided equally between Buyer and Seller unless otherwise stated in the Contract of Sale. Buyer shall be entitled to receive the benefit of any local owner-occupancy reduction offered by the jurisdiction where the property is located.

PROPERTY TAXES

Each property in Montgomery County, MD is assessed for annual real property taxes. A copy of the tax bill will reflect whether the Property is located in a municipality, a special taxing district, a development district, a proposed development district, and/or whether this Property is subject to a special area tax or any WSSC front foot benefit charges. Visit: <https://www.montgomerycountymd.gov/finance/taxes/faqs.html> for definitions and explanations of each category. Additional information relating to taxes and the assessment and appeal process can be located at <https://dat.maryland.gov/realproperty/Pages/Assessment-Appeal-Process.aspx>.

A. Tax Bill Increases: Your property tax bill could increase substantially following settlement. For owner-occupied properties, Maryland has a program (Homestead Exemption) which limits the amount that taxes on real property may increase from one year to the next. Once the property transfers to a new owner, the prior limits are removed which may result in a significant increase in the tax bill. You may apply to have eligibility for a Homestead Exemption after settlement.

B. Right of Appeal: You have the right to appeal the next year's property tax assessment within strict timeframes following settlement. Contact the Maryland State Department of Assessments and Taxation and the Montgomery County Department of Finance for additional information.

C. Disclosure of Future Property Taxes: Montgomery County Law requires a Seller to disclose the estimated amount of the tax bill for the first fiscal year following settlement.

D. Current Tax Bill: IN ACCORDANCE WITH MONTGOMERY COUNTY CODE SECTION 40-12C, THE SELLER(S) MUST ATTACH A COPY OF THE CURRENT REAL PROPERTY TAX BILL FOR

THIS PROPERTY TO THIS PREOPRTY INFORMATION, DISCLOSURES AND NOTICES. A copy of the tax bill for this Property can be obtained at <https://apps.montgomerycountymd.gov/realpropertytax/>.

E. Estimated Property Tax & Non-Tax Charges: IN ADDITION, SELLER(S) ARE REQUIRED TO PROVIDE POTENTIAL BUYERS WITH THE ESTIMATED PROPERTY TAX AND NON-TAX CHARGES FOR THE FIRST FULL FISCAL YEAR OF OWNERSHIP. Information relative to this estimate can be obtained at www.montgomerycountymd.gov/estimatedtax.

DEVELOPMENT DISTRICT DISCLOSURE - NOTICE OF SPECIAL TAX OR ASSESSMENT

A Development District is a special taxing district in which owners of properties pay an additional tax or assessment in order to pay for public improvements within the District. Typically, the Development District Special Tax will increase approximately 2% each July 1. For more information, please contact the Montgomery County Department of Finance. FAQs regarding Development Districts can be viewed at <https://www2.montgomerycountymd.gov/estimatedtax/FAQ.aspx#3607>.

The Seller acknowledges the following regarding the property:

- The Property is located in an EXISTING Development District
- The Property is located in a PROPOSED Development District
- The Property is not located in an existing or proposed Development District

Seller has disclosed that the property is located in an EXISTING Development District:

Each year the Buyer of this Property must pay a special assessment or special tax imposed under Chapter 14 of the Montgomery County Code, in addition to all other taxes and assessments that are due. As of the date of execution of this disclosure, the special assessment or special tax on this Property is \$_____ each year. A map reflecting Existing Development Districts can be obtained at https://www2.montgomerycountymd.gov/estimatedtax/map/Existing_DevDistricts.pdf.

Seller has disclosed that the property is located in an PROPOSED Development District:

Each year the Buyer of this Property must pay a special assessment or special tax imposed under Chapter 14 of the Montgomery County Code, in addition to all other taxes and assessments that are due. The estimated maximum special assessment or special tax is \$_____ each year. A map reflecting Proposed Development Districts can be obtained at https://www2.montgomerycountymd.gov/estimatedtax/map/dev_districts.pdf.
Seller has disclosed that the Property is not located in an existing or proposed Development District.

TAX BENEFIT PROGRAMS

Some properties may currently be under a tax benefit program that has deferred taxes due on transfer or may require a legally binding commitment from Buyer to remain in the program.

Is the Property currently under a tax benefit program that has deferred taxes due on transfer or may require a legally binding commitment from Buyer to remain in the program? Yes No Don't Know

The Seller discloses the following regarding Tax Benefit Programs:

- Forest Conservation and Management Program
- Agricultural Program
- Other Tax Benefit Programs

Buyer is hereby notified that the property is under a Maryland Forest Conservation Management Agreement (FCMA) and could be subject to recapture/deferred taxes upon transfer. Any axes assessed shall be paid by solely by BUYER unless mutually agreed in writing by the parties and otherwise stated in a superseding addendum to the Contract of Sale.

Buyer is hereby notified that the property IS SUBJECT to agricultural transfer taxes. Taxes assessed as a result of the transfer shall be paid solely by the BUYER unless mutually agreed in writing by the parties and otherwise stated in a superseding addendum to the Contract of Sale.

Buyer is hereby informed that Buyer is currently enjoying reduced property taxes due to the following: _____

The property is not currently under a special tax benefits program.

If “Don’t Know” is checked above, the Buyer acknowledges that the seller is not aware of any special tax benefits program relating to the property. Buyer is advised to investigate the property record to ascertain any additional details regarding any potential tax benefit program that has deferred taxes due on transfer or may require a legally binding commitment from Buyer to remain in the program.

PROPERTY INSURANCE

Property insurance rates vary. Buyer is advised to investigate and compare offerings by several property insurance carriers.

INSPECTIONS

Buyers may include the right to employ a professional engineer, home inspection specialist, environmental firm or other expert(s) of their choice to inspect the property for possible hazardous substances, building material concerns and defects in their offer. Agents (if any) do not have the technical expertise to advise Buyers on inspection issues. Home inspectors are required to be licensed in Maryland.

FINANCING

Buyers have the right to select the lender and to negotiate the terms and conditions of their loan. Mortgage rates, fees and products vary considerably among financial institutions.

SMOKE DETECTORS

Maryland law requires that ALL smoke alarms be less than 10 years from date of manufacture. Also, BATTERY-ONLY operated smoke alarms must be sealed units incorporating a silence/hush button and long-life batteries.

Pursuant to Montgomery County Code, Seller is required to have working smoke alarms. Requirements for the location of the alarms vary according to the year the Property was constructed. For requirements see: www.montgomerycountymd.gov/mcfrs-info/resources/files/laws/smokealarmmatrix_2013.pdf.

Additionally, Maryland law requires the following disclosure: **This residential dwelling unit contains alternating current (AC) electric service. In the event of a power outage, an alternating current (AC) powered smoke detector will NOT provide an alarm. Therefore, the Buyer should obtain a dual-powered smoke detector or a battery-powered smoke detector.**

WARRANTY

Home warranty programs with various types of coverage and deductibles are offered by a number of companies that operate locally, and nationally. Buyer is advised to investigate home warranty programs available.

LAND USE

Land uses may be restricted on some properties by subdivision regulations, covenants, environmental laws, easements, zoning, historic preservation regulations, airport noise, planned land uses, road or highway rights of way, federal, state, county and/or local or municipal restrictions or statutes, or other regulations. To ascertain how such restrictions may impact the use of a specific property, Buyer is advised to seek information through the appropriate government agency and/or a title search.

RADON

A radon test must be performed on or before the Settlement Date of a "Single Family Home" in accordance with Montgomery County Code Section 40-13C (see <https://www.montgomerycountymd.gov/green/air/radon.html> for details) A Single Family Home means a single family detached or attached residential building. Single Family home does not include a residential unit that is part of a condominium regime or a cooperative housing corporation. **The Seller of a Single Family Home (unless otherwise exempt below) is required to provide the Buyer, on or before Settlement Date, a copy of radon test results performed less than one year before Settlement Date, or to permit the Buyer to perform a radon test, but regardless, a radon test MUST be performed and both Seller and Buyer MUST receive a copy of the radon test results. If Buyer elects not to or fails to perform a radon test, the Seller is mandated to perform the test and provide the results to the Buyer on or before Settlement Date.**

In order to request Seller to remediate, a radon contingency must be included as part of the Contract of Sale.

Is the Seller exempt from the Radon Test disclosure? Yes No

If indicated above, the Seller has disclosed that they are EXEMPT from the Radon Test disclosure for the following reason:

- Property is NOT a "Single Family Home"
Transfer is an intra-family transfer under MD Tax Property Code Section 13-207
- Sale is by a lender or an affiliate or subsidiary of a lender that acquired the home by foreclosure or deed in lieu of foreclosure
- Sale is a sheriff's sale, tax sale or sale by foreclosure, partition or by a court appointed trustee
- A transfer by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship or trust
- A transfer of a home to be converted by the buyer into a use other than residential or to be demolished
- Property is located in the Town of Barnesville, Town of Kensington, Town of Poolesville, or City of Rockville

CRIMINAL ACTIVITY

Information about criminal activity or the presence of registered sexual offenders who live within the vicinity of a property may be obtained by contacting the state, county or municipal police departments in which the Property is located as well as the National/State Sex Offender Registry. Buyer bears the sole responsibility for conducting the investigation of these facts. Buyer further acknowledges that no real estate licensee involved in the sale or purchase of a property (if any), has or assumes any duty or responsibility to ascertain criminal activity or the presence of registered sexual offenders in the vicinity of the Property.

WIRE FRAUD

Buyer is advised not to transmit personal information, such as credit / debit card numbers, bank account / routing numbers, by email or other non-secured electronic communication.

AVAILABILITY OF WATER AND SEWER SERVICE

A. Existing Water and Sewer Service: Refer to the Seller's Water Bills or contact WSSC at 301-206-4001 or City of Rockville at 240-314-8420.

B. Well and Septic Locations: Contact the Department of Permitting Services "DPS", Well and Septic, or visit <http://permittingervices.montgomerycountymd.gov/DPS/general/Home.aspx>. For well and/or septic field locations, visit <http://permittingervices.montgomerycountymd.gov/DPS/online/eInformationRequest.aspx>, or for homes built before 1978, request an "as built" drawing in person using DPS's "Septic System Location Application" form. Homes built prior to 1960 may be filed on microfiche, and, if outside a subdivision, the name of the original owner may be required. An original owner's name can be found among the Land Records at the County Courthouse.

C. Categories: Contact the Montgomery County Department of Environmental Protection ("DEP") Watershed Management Division or visit waterworks@montgomerycountymd.gov to confirm service area category.

Seller discloses that the property is is not may be connected to public water.

The Property has has not been may be approved for connection to public water.

The source of potable water from the property is _____

Seller discloses that the property is is not may be connected to the public sewer system.

NOTICE: When a Buyer of real property that is located in a subdivision on which an individual sewage disposal system has been or will be installed receives the copy of the recorded subdivision plat, the Buyer must confirm in writing by signing said Plat that the Buyer has received and reviewed the Plat, including any restrictions on the location of initial and reserve wells, individual sewage disposal systems, and the buildings to be served by any individual sewage disposal system.

The Seller acknowledges the current status of the property sewage system:

- The property has been approved for connection to public sewer.
- An individual sewage disposal system has been constructed on property.
- An individual sewage disposal system has been approved but not yet constructed on property.
- An individual sewage disposal system has been disapproved for construction on the property.

The sewage disposal system has been disapproved for construction on the property for the following reason: _____

Seller discloses the following regarding the Water and Sewer Service Categories at the property:

Seller is unaware of the water and sewer service category or categories that currently apply to the property.

The water and sewer service area category or categories that currently apply to the Property is/are _____

This category affects the availability of water and sewer service as follows: _____

Seller discloses the following regarding the Water and Sewer Service Recommendations and Pending Amendments at the property:

Seller is unaware of any recommendations regarding water and sewer service to the property in the applicable master plan.

The applicable master plan contains the following recommendations regarding water and sewer service to the Property: _____

The status of any pending water and sewer comprehensive plan amendments or service area category changes that would apply to the property are as follows: _____

By signing this Disclosure, the Buyer acknowledges that, prior to signing the Contract, the Seller has provided the information referenced above, or has informed the Buyer that the Seller does not know the information referenced above; the Buyer further understands that, the Buyer should consult the County Planning Board or any appropriate municipal planning or water and sewer agency to stay informed of future changes in County and municipal water and sewer plans.

UNDERGROUND STORAGE TANKS

Seller is aware is unaware is unsure of any UNUSED storage tanks currently on the property;

Seller also discloses the following regarding the abandonment of UNUSED storage tanks: _____

FRONT FOOT BENEFIT CHARGES (FFBC)

Seller discloses there are are no may be potential Front Foot Benefit Charges (FFBC) or deferred water and sewer charges for which the Buyer may become liable **which do not appear on the attached property tax bills.**

- The Buyer will assume the future obligations and pay future annual assessments
- Buyer is hereby advised that a schedule of charges has not yet been established by the water and sewer authority
- A local jurisdiction has adopted a plan to benefit the Property in the future

By signing this disclosure, the Buyer hereby agrees to assume the future obligations and pay future annual assessments.

These charges amount to \$_____ per year.

Buyer is hereby advised that a schedule of charges has not yet been established by the water and sewer authority

A local jurisdiction has adopted a plan to benefit the Property in the future.

SPECIAL PROTECTION AREAS (SPA):

Refer to montgomeryplanning.org/planning/environment/water-and-wetlands/special-protection-areas/ or montgomerycountymd.gov/water/streams/spa.html for explanations of the "SPA" legislation and a map detailing protected areas. To determine if this property is located within the boundaries of a "SPA," contact: MaryJo.Kishter@montgomeryplanning.org, or call 301-495-4701.

Seller has disclosed that the property is is not may be located in an area designated as a Special Protection Area.

Special water quality measures and certain restrictions on land uses may apply. Under Montgomery County law, Special Protection Area (SPA) means a geographic area where:

- A. Existing water resources, or other environmental features directly relating to those water resources, are of high quality or are unusually sensitive;
- B. Proposed land uses would threaten the quality or preservation of those resources or features in the absence of special water quality protection measures which are closely coordinated with appropriate land use controls. An SPA may be designated in:
- (1) a land use plan;
 - (2) the Comprehensive Water Supply and Sewer System Plan;
 - (3) a watershed plan; or
 - (4) a resolution adopted after at least fifteen (15) days' notice and a public hearing.

Buyer acknowledges by signing this disclosure that they have been provided the opportunity to request all of the above information contained in Sections A and B from Seller before Buyer executing a contract for the above-referenced Property.

Further information is available from the staff and website of Maryland-National Capital Area Park and Planning Commission (M-NCPPC).

RECORDED SUBDIVISION PLAT

Plats are available at the MNCPPC or at the Judicial Center, Room 218, 50 Maryland Avenue, Rockville, MD or at 240-777- 9477. In order to obtain a plat you will be required to provide the Lot, Block, Section and Subdivision for the Property. Plats are also available online at http://www.montgomeryplanning.org/info/plat_maps.shtml or at www.plats.net.

Unimproved Lot and New Construction: If the Property is an unimproved lot or a newly constructed house being sold for the first time, the Buyer shall be provided a copy of the recorded subdivision plat prior to entering into a contract. **By signing this disclosure document, Buyer hereby acknowledges receipt of a copy of the recorded subdivision plat.**

Resale/Acknowledged Receipt: If the Property is not an unimproved lot or a newly constructed house (i.e. resale), the Buyer may, in writing, waive receipt of a copy of such plat at the time of execution of the Contract, but shall, prior to or at the time of Settlement, be provided with a copy of the subdivision plat. The subdivision plat is not intended as a substitute for examination of title and does not show every restriction and easement. **By signing this disclosure document, Buyer**

(a) hereby acknowledges receipt of a copy of the recorded subdivision plat or (b) agrees to waive receipt of a copy of such plat at time of execution of the Contract, but shall, prior to or at the time of Settlement, be provided a copy of the subdivision plat.

AGRICULTURAL RESERVE (AR) ZONE DISCLOSURE NOTICE

The property is is not located in, adjoin or confront an area that is zoned agricultural.

NOTICE TO BUYER

Sellers of Montgomery County, MD properties that are located in, adjoin or confront an area that is zoned agricultural must provide the following disclosure to potential Buyers, before entering into a Contract of Sale. These disclosures provide advise Buyers that existing County and State Laws are intended to discourage owners of property adjacent to agricultural- zoned land from filing certain lawsuits against an owner / operator of an agricultural property. For additional information please visit http://www.parksshowidol.com/notification/agricultural_lands.html.

As required under Montgomery County Code Section 40-12B, you are hereby notified that the State of Maryland and Montgomery County have enacted laws that establish agriculture as the preferred use on land zoned Agricultural Reserve (AR) and as a permitted use in other agricultural zones, as defined in Section 59-C-9.1 of the County Code. The property subject to this Contract is located in, adjoins or confronts an area zoned agricultural. Residents and other occupants of property near land in agricultural zones should be prepared to accept effects of usual and customary agricultural operations, facilities and practices, including noise, odors, dust, smoke, insects, operation of machinery, storage and disposal of manure, unusual hours of operation, and other agricultural activities.

Under Maryland law, an agricultural operation is not a nuisance, and a lawsuit may not be successful alleging that an agricultural operation interferes with the use or enjoyment of other property, if the agricultural operation;

- 1) Has continued for at least one year;**
- 2) Complies with applicable health, environmental, zoning , and permit requirements; and**
- 3) Is not conducted negligently.**

County law may provide additional protections for agricultural uses on agricultural-zoned land. For Further information contact the Montgomery County Department of Economic Development.

HISTORIC PRESERVATION

Buyers of property located in the City of Rockville should be advised that structures that are 50 years old or older, or which may be otherwise significant according to criteria established by the Rockville Historic District Commission, should be notified prior to purchase that demolition and building permit applications for substantial alteration will trigger an evaluation and approval process. This process may result in the property being designated a historic site, and if so, any exterior alterations must be reviewed and approved. Visit <http://www.montgomeryplanning.org/historic/index.shtm> or call the Montgomery County Historic Preservation Commission (301-563-3400) to check a property's status.

- A. City of Rockville:** Montgomery County Code §40-12A has been adopted by the City of Rockville.
- B. City of Gaithersburg:** Montgomery County Code §40-12A has been adopted by the City of Gaithersburg
- C. Other:** Contact the local municipality to verify whether the Property is subject to any additional local ordinance.

Seller makes the following disclosures regarding Historic Preservation:

- The property has has not been designated as an historic site in the master plan for historic preservation.
- The Property is is not located in an area designated as an historic district in that plan.
- The Property is is not listed as an historic resource on the County location atlas of historic sites.

Seller has provided the information required of Sec 40-12A as stated above, and the Buyer understands that special restrictions on land uses and physical changes may apply to this Property. To confirm the applicability of this County Code (Sec 40-12A) and the restrictions on land uses and physical changes that may apply, contact the staff of the County Historic Preservation Commission, 301-563-3400. If the Property is located within a local municipality, contact the local government to verify whether the Property is subject to any additional local ordinances.

MARYLAND FOREST CONSERVATION LAWS:

FOREST CONSERVATION LAW

Cutting, clearing, and grading of more than 5,000 square feet of forest or any champion tree on the Property is subject to the requirements of the Forest Conservation Law. Buyer agrees to comply with the Forest Conservation Law, Chapter 22A of the Montgomery County Code. Buyer must contact the Countywide Environmental Planning Division of the Maryland-National Capital Park and Planning Commission (M-NCPPC), prior to cutting, clearing, and grading of more than 5,000 square feet of forest, obtaining a grading or sediment control permit, or developing the Property. Further, Seller represents and warrants that no activities have been undertaken on the Property in violation of the Forest Conservation Law and that if such activities have occurred in violation of the applicable law, that Seller has paid all of the penalties imposed and taken all of the corrective measures requested by M-NCPPC.

FOREST CONSERVATION EASEMENT

Seller represents and warrants that the Property is is not currently subject to a recorded Category I or Category II Forest Conservation Easement, Management Agreement or an approved Forest Conservation Plan, Tree Save Plan, or any other plan requiring the protection of natural areas, or any other pending obligation binding the owner of the Property under Forest Conservation Law requirements. If the Property is encumbered by any such easement or plan, buyer may request a copy of the plat or recorded document (if available).

ENERGY EFFICIENCY DISCLOSURE NOTICE

Before signing a contract for the sale of a single-family home, Sellers of Montgomery County properties must provide Buyers with the following:

- A. Information Disclosure:** Information about home energy efficiency improvements, including the benefit of conducting a home energy audit. Buyers should visit the following websites for this

information: <https://www.montgomerycountymd.gov/green/Resources/Files/energy/Home-Sales-Disclosure.pdf>

B. Usage History: If the Property has been owner-occupied for any part of the past 12 months, Seller must provide copies of electric, gas and home heating oil bills OR cost and usage history for the single-family home for that time. "

AIRPORTS AND HELIPORTS

Buyer is advised that most properties in Montgomery County are within five (5) miles of an airport or heliport installation. Refer to the FAA website for a current list: http://www.faa.gov/airports/airport_safety/airportdata_5010.

SCHOOL BOUNDARY NOTICE

The Montgomery County Board of Education periodically reviews and amends school boundaries for each school within the Montgomery County Public Schools (MCPS) system. School boundaries are subject to change and Buyer is advised to verify current school assignments with MCPS.

TENANT RIGHTS

The property is is not located in Takoma Park, Maryland

Properties located within the City of Takoma Park, Maryland that are tenant-occupied or otherwise defined as residential rental property will be subject to certain restrictions, regulations and requirements at the time of resale. Buyer is advised to investigate the complexities of purchasing a tenant-occupied property prior to entering into a contract."

CITY OF TAKOMA PARK, MARYLAND DISCLOSURES

The City of Takoma Park, MD maintains its own storm water facilities and assesses and bills for an annual Storm Water Management Fee on all real estate located in the city. This assessment is separate from City property taxes. The annual assessment for this property is \$_____.

Inquiries can be made at 301-891-7212.

NOTICE OF TREE PRESERVATION AND REPLACEMENT REQUIREMENTS – CITY OF TAKOMA PARK:

1. The Buyer is notified that Chapter 12.12, Urban Forest, of the Takoma Park Code imposes restrictions and procedural requirements relating to activity on properties located in the City of Takoma Park ("City") that may affect urban forest trees on the property or on neighboring properties. An "urban forest tree" is a tree which: a) measures 24 inches or more in circumference at 4-1/2 feet above ground level or measures 7-5/8 inches or more in diameter at breast height ("DBH") (note: additional requirements may apply if the property is located in the Takoma Park Historic District); b) is required to be planted or maintained pursuant to governmental order, agreement, covenant, easement or a tree protection plan, or as a condition of the issuance of a City tree removal permit; or c) is planted with government funding or under a government program. See Takoma Park Code §12.12.020.
2. The activities within 50 feet of an urban forest tree that may be regulated by Chapter 12.12, Urban Forest, of the Takoma Park Code include, but are not limited to, the construction or expansion of a structure, the operation of heavy equipment, land disturbing activities such as regrading or excavation, installation of paving or other hardscape, and the removal or pruning of roots or branches of trees.
3. A tree removal permit is required before a property owner may remove, relocate, or destroy an urban forest tree. The City may deny the tree removal permit and require that the tree remain in place, or may require the owner to plant multiple replacement trees or pay a tree replacement fee to the City as a condition of the issuance of a permit.

4. Before engaging in construction or other activities that may impact urban forest trees on or near the property, the property owner must contact the City Department of Public Works to request a tree impact assessment. Following a tree impact assessment, the Department will advise the property owner whether a tree protection plan permit is required before the activity may proceed. The owner and the owner's contractors may be required to take measures to reduce the impact of the activity upon the trees on or near the property. Such measures may add to the cost of the activity, delay the completion of the activity, or require modifications to the planned activity, including, but not limited to, the use of alternative hardscape materials and construction methods, and reductions or modifications to the footprint of additions or new construction.
5. Violation of Chapter 12.12 of the Takoma Park Code may subject property owners and their agents to civil and criminal penalties, including fines and imprisonment.
6. Additional information is available from the City of Takoma Park Department of Public Works at (301) 891-7612 or at www.takomaparkmd.gov.

The notice requirements established by this section do not apply to:

1. A sheriff's sale, tax sale, deed in lieu of foreclosure, or sale by foreclosure, partition, or court-appointed trustee;
2. A transfer of the property by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship or trust;
3. A transfer of the property, or any interest therein, to a spouse, former spouse, domestic partner, former domestic partner, parent, sibling, child or grandchild; or
4. A transfer of property solely to provide a security or leasehold interest in real property.

NOTICE OF RENTAL HOUSING LAWS

Seller hereby discloses the the property is is not currently being utilized as a residential rental property.

The Takoma Park Code, "Title 6, Housing, Chapter 6.28, Sale of Rental Facilities – Notice, Disclosure, and Inspection Requirements, Section 6.28.010, Contract of Sale Requirements" states that all real estate transactions that involve the sale of any residential rental within the city limits of Takoma Park must include a notice requirement concerning the city's rental laws along with copies of certain rent reports and rental licensing inspection reports.

On or before entering into a contract for the sale of a rental facility, the owner or agent of the rental facility shall provide the prospective purchaser with the following:

- 1. A notice of City of Takoma Park rental housing laws ("notice"), a form of which shall be provided by the City and containing such information as necessary to administer and enforce the provisions of this chapter, shall be included in or attached to all contracts of sale for a rental facility;**
- 2. Copies of the annual rent stabilization reports for the rental facility for the previous two years unless the rental facility is exempt from rent stabilization in accordance with Chapter 6.20, Rent Stabilization, and a certificate of exemption is attached to the contract of sale in accordance with subsection (F) of this section; and**
- 3. Copies of available licensing inspection reports of the rental facility for the previous two years.**

RENTAL HOUSING LAWS

The City of Takoma Park strongly encourages prospective purchasers to familiarize themselves with the City laws and regulations regarding rental housing before purchasing any property that is used as residential rental housing. These laws include the following:

1. Tenant Opportunity to Purchase (Takoma Park Code, Chapter 6.32). Before a Seller may go to settlement on the sale of a rental facility, the Seller must give the tenants an opportunity to purchase the rental facility. All contracts for the sale of the rental facility are subject to the rights of the tenant(s) or tenant association to purchase the rental facility in accordance with Chapter 6.32.
2. Rent Stabilization (Takoma Park Code, Chapter 6.20). The rent stabilization law restricts rent increases for residential rental units. The Seller is required to provide the Purchaser with copies of the two most recent annual Rent Reports for the rental facility, which must be initialed by the Purchaser and attached to the Contract of Sale. City law does not permit a landlord to increase the rents for the rental facility above the annual rent stabilization allowance without an order from the Commission on Landlord-Tenant Affairs. Neither the price paid for the rental facility, nor the financing terms, are considered in a landlord's petition to increase the rents for the rental facility above the annual rent stabilization allowance.
3. Rental Housing Licenses (Takoma Park Code, Chapter 6.08). All rental facilities must be inspected for compliance with the Property Maintenance Code and licensed. The Seller is required to provide the Purchaser with copies of the two most recent Rental Housing Licensing Inspection Reports for the rental facility, which must be initialed by the Purchaser and attached to the Contract of Sale.
4. Landlord-Tenant Relations (Takoma Park Code, Chapter 6.16). In addition to the applicable state landlord-tenant laws, the City of Takoma Park has supplemental laws regulating the landlord-tenant relation, including minimum lease term and lease renewal requirements, restrictions on allowable pet and other fees that may be charged to a tenant, and a Commission on Landlord-Tenant Relations, which hears complaints of landlord-tenant violations and appeals from rent increase petition decisions.

Additional information is available upon request from the City of Takoma Park Department of Housing and Community Development at (301) 891-7119 or at www.takomaparkmd.gov.

A Purchaser has the unconditional right, upon written notice to the Seller or Seller's agent, to rescind the contract of sale and to the immediate return of any deposit at any time within five (5) days following receipt of this Notice and receipt of copies of the annual Rent Reports* and Rental Housing Licensing Inspection Reports for the rental facility for the two years immediately preceding the sale. The right of a Purchaser, who has received this Notice and complete and accurate Rent Reports* and Inspection Reports, to rescind the contract of sale terminates if not exercised before settlement on the transfer of title to the rental facility.

* If the rental facility is exempt from rent stabilization, then a Certificate of Exemption from the City of Takoma Park must be attached to the contract of sale and copies of the annual Rent Reports do not need to be provided to the Purchaser.

This Notice is required by the City of Takoma Park to provide general information about the City's rental housing laws and requirements and is not intended to provide specific legal or investment advice.

ADDITIONAL INFORMATION

Further information may be obtained by contacting staff and web sites of appropriate authorities:

- Montgomery County Government, 101 Monroe Street, Rockville, MD, 20850.
Main Telephone Number: 311 or 240-777-0311 (TTY 240-251-4850). Web site: www.MC311.com
- Maryland-National Capital Area Park and Planning Commission (M-NCPPC),
2425 Reedy Drive, 14th Floor, Wheaton, MD 20902. Main number: 301-495-4600. Web site: <https://montgomeryplanningboard.org>

