



SUMMARY OF 2025 REAL ESTATE LEGISLATION

REAL ESTATE BROKERAGE, LICENSING AND CONTRACTS

R® HB 124/SB 160 Assignment of Contracts of Sale – Disclosure and Rescission

PASSED – Effective October 1, 2025 ***POSITION: Support***

A “wholesaler” must provide a disclosure to both the property seller and prospective buyer if a contract will be assigned. If the disclosure is not provided, the contract to purchase may be terminated without penalty prior to settlement.

R® HB 972/SB 680 Real Estate Commission - Continuing Education Requirements

PASSED – Effective October 1, 2025 ***POSITION: Support***

Continuing Education requirements for licensees are adjusted as follows: Fair Housing hours are increased from 1.5 to 2.0; separate BRAD and BRAD-SD classes are combined; commercial practitioners are required to complete 2.0 hours of ADA compliance; broker supervision is reduced to 1.5 hours; and, the CE course approval process is standardized across all classes.

HB 482 Occupational Licensing - Criminal History Predetermination Review Process

PASSED – Effective July 1, 2025 ***POSITION: Support***

Individuals may request an upfront review of their criminal history to determine whether they would be disqualified from obtaining an occupational license or certificate.

HB 606/SB 441 New Home Sales - Entry of Final Sale Price in Multiple Listing Service

DID NOT PASS ***POSITION: Support with Amendments***

A developer, builder, broker, or real estate agent would be required to enter the final sale price of a new home into a multiple listing service.

HB 895/SB 279 Employment and Insurance Equality for Service Members Act

PASSED – Effective October 1, 2025 ***POSITION: Support***

This bill extends state licensing and fee provisions currently offered to active-duty military and veterans to the National Oceanic and Atmospheric Administration and Public Health Service.

SB 815 Occupational Licensing and Certification - Criminal History Disclosure

DID NOT PASS ***POSITION: Oppose as Introduced***

REALTORS® successfully amended this bill to remove real estate from the category of licenses where criminal history review would be limited and licenses could not be denied from issuance.

HOUSING SUPPLY AND AFFORDABILITY

R® SB 891/HB 1466 Land Use and Real Property - Accessory Dwelling Units

PASSED – Effective October 1, 2025 ***POSITION: Support***

Local governments will be required to enact ordinances allowing for the construction of Accessory Dwelling Units on single-family detached residential properties by October 2026.

R® SB 46 Wrongful Detainer - Time of Hearing and Service of Process

PASSED – Effective October 1, 2025 ***POSITION: Support***

This bill creates an expedited wrongful detainer process to assist with fraudulent possession of residential properties by squatters. Court hearings to return possession of properties to the owner must occur in no more than 10 days following the filing of the complaint.

R® HB 503/SB 430 Housing Development Act

DID NOT PASS ***POSITION: Support***

Introduced as the Housing for Jobs Act, this bill would have provided additional regulatory certainty for housing developers and calculated the housing gaps which exist in each locality.

HB 38 School Construction and Housing - Adequate Public Facilities Ordinances

DID NOT PASS ***POSITION: Support with Amendments***

Local governments could not delay housing developments for more than four years under Adequate Public Facilities Ordinances for school capacity.

HB 80/SB 190 Land Use - Transit-Oriented Development

DID NOT PASS ***POSITION: Support***

Approved transit-oriented developments would be exempted from certain local requirements, including parking, height restrictions or setbacks, and must allow mixed use development.

HB 249/SB 125 Local Limits on Summoning Law Enforcement or Emergency Services

PASSED – Effective July 1, 2025 ***POSITION: Support***

Local jurisdictions are currently prohibited from enacting laws limiting calls to emergency services. This bill clarifies that they are also prohibited from enforcing such ordinances that were previously passed.

HB 489/SB 436 Study on Single-Staircase Building Code Requirements

PASSED – Effective July 1, 2025 ***POSITION: Support***

The Maryland Department of Labor to study building code requirements for single-staircase buildings and make other recommendations to increase affordable housing options.

HB 1061 State-Owned Property - Inventory and Disposition - Housing

DID NOT PASS ***POSITION: Support with Amendments***

Each state agency would be required to report to the Department of Planning on excess property that would be suitable for redevelopment as housing, and set housing production goals for those properties.

HB 1193 Maryland Housing Data Transparency Act

PASSED – Effective July 1, 2025

POSITION: Support

This bill requires counties with at least 150,000 residents to make quarterly reports to the Department of Planning outlining the number and type of residential building permits issued by that county, beginning on January 1, 2027. Smaller jurisdictions may submit this same information.

FAIR HOUSING

HB 13 Real Property - Residential Contracts of Sale - Buyer Privacy Rights

DID NOT PASS

POSITION: Oppose

This bill would prohibit the name of an individual buyer from being included in a contract of sale until after the seller of the property had accepted the contract.

HB 242 Discrimination in Housing - Consumer Credit History

WITHDRAWN

POSITION: Oppose

Adds consumer credit history as a protected class for housing and related services, preventing screening or qualifications based upon their credit history, creditworthiness or credit capacity.

HB 392/SB 107 Fair Housing Testing

DID NOT PASS

POSITION: Support

If passed, this bill would conform Maryland to the federal standard of one-party consent for audio and video recording if the purpose of that recording is to enforce fair housing laws.

HB 896/SB 677 Income-Based Housing Subsidies

DID NOT PASS

POSITION: Oppose

If using housing assistance to pay rent, a landlord could not have refused to rent based on the prospective tenant's income, credit score, lack of credit score, or adverse credit history.

HB 1239 Housing Discrimination - Regulations, Intent, and Discriminatory Effect

DID NOT PASS

POSITION: Support

This bill would have inserted federal standards on disparate impact evaluations and local requirements to affirmatively further Fair Housing into state law.

SB 484/HB 487 Unhoused Individuals - Rights, Civil Action, and Affirmative Defense

DID NOT PASS

POSITION: Oppose

This provided unhoused individuals certain rights relating to engaging in "life-sustaining activities," but would have intruded upon private property rights in some instances.

SB 514/HB 1077 Maryland Fair Chance Housing Act

DID NOT PASS

POSITION: Oppose

If passed, a landlord would have been restricted from using a prospective tenant's criminal history records in making a conditional offer to rent, and could only consider certain criminal history thereafter.

TAX RATES AND CREDITS

HB 23 Property Taxes - Special Rate for Commercial and Industrial Property

DID NOT PASS

POSITION: Oppose

Localities would be able to establish a subclass of commercial and industrial property and set special property tax rates for financing transportation or education needs.

HB 87/SB 132 Short-Term Rentals and Home Amenity Rentals - Regulation

DID NOT PASS

POSITION: Oppose

This bill would have applied hotel health and safety requirements to short-term rental units and home amenities, and allowed localities to define “high-intensity” usage of those rentals.

HB 342 State Transfer Tax – Rates and Distribution of Revenue

DID NOT PASS

POSITION: Oppose

A graduated tax rate structure for residential and nonresidential transactions would be imposed, resulting in over \$100 million in additional transfer taxes on real estate annually.

HB 390/SB 327 Affordable Housing Payment In Lieu of Taxes Expansion Act

PASSED – Effective June 1, 2025

POSITION: Monitor

Operators of rental housing developments may enter into payment in lieu of taxes with local governments for maintaining at least 25% of the units as affordable.

HB 641 State Property Tax - Transportation Funding Act of 2025

DID NOT PASS

POSITION: Oppose

The Governor would be required to submit a proposal for a State property tax to support transportation projects and programs each year.

HB 698/SB 814 Development Impact Fees, Surcharges, and Excise Taxes - Reporting

PASSED – Effective October 1, 2025

POSITION: Support

By July 1, each county must annually report to the Governor and the General Assembly information relating to the collection and expenditure of development impact fees, surcharges, or excise taxes over the prior year

HB 1428/SB 582 Sale of Residential Property - Taxes and Offers to Purchase

DID NOT PASS

POSITION: Oppose

This bill would have imposed excise taxes on properties owned by hedge funds, as well as a 30-day lockout period and 15% transfer tax on properties sold to investors.

HB 1014/SB 859 Fair Share for Maryland Act of 2025

DID NOT PASS

POSITION: Oppose

Among its many provisions, this act would have lowered estate tax thresholds from \$5 million to \$2 million and imposed additional taxes on pass-through entities.

HB 1554 Sales and Use Tax - Taxable Business Services

DID NOT PASS

POSITION: Oppose

While scaled back from the 2024 version, this bill would have imposed a 2.5% services tax on accounting, consulting, photography, advertising and financial services provided in the state.

SB 979 Short-Term Rentals - Tax Collection by Comptroller

PASSED – Effective July 1, 2027

POSITION: Support

Short-term rental platforms with at least 200 bookings or \$100,000 in revenue will collect and remit the applicable hotel occupancy tax to the Comptroller, which will then be distributed to the respective county where the rental is located.

COMMON OWNERSHIP COMMUNITIES

HB 292/SB 63 Funding of Reserve Accounts and Preparation of Funding Plans

PASSED – Effective October 1, 2025

POSITION: Support

This bill grants additional flexibility to meet required reserve funding requirements and creates a financial hardship process to alter approved reserve funding plans for up to 1 fiscal year.

HB 294/SB 71 Task Force on Common Ownership Communities

DID NOT PASS

POSITION: Support with Amendments

This bill would have created a Task Force to study the education and training needs of common ownership community boards and new and prospective owners in these communities.

HB 303 Regulation of Common Ownership Community Managers

DID NOT PASS

POSITION: Support

If passed, this bill would have created a state board within the Department of Labor to oversee the licensing of community managers.

HB 306/SB 866 Common Ownership Communities - Ombudsman

DID NOT PASS

POSITION: Support

This would have created an Ombudsman Unit in the Office of the Attorney General to respond to complaints and established a database of governing documents accessible to the public.

HB 1211 Common Ownership Communities - Online Publication of Resale Disclosures

DID NOT PASS

POSITION: Support

Associations would be required to publish all resale disclosures that are not specific to a particular unit on their webpage without cost to view or download.

HB 1411/SB 1011 Insufficient Condominium Reserve Account Grant Fund - Establishment

DID NOT PASS

POSITION: Support with Amendments

Low-income condominium owners would have access to a grant fund to pay increased assessments resulting from reserve account funding requirements.

PROPERTY MANAGEMENT

HB 273 Late Payment Penalties - Calculation

PASSED – Effective October 1, 2025 ***POSITION: No Position***

Landlords may charge a late penalty of 5% of the amount of the unpaid rent rather than of the total amount due.

HB 709/SB 651 Residential Leases - Local Good Cause Termination Provisions

DID NOT PASS ***POSITION: Oppose***

If enacted in the county, landlords would be required to renew a tenant's lease unless certain conditions are met or the tenant commits specified violations of the lease.

HB 767 Notice Procedures for Evictions

PASSED – Effective October 1, 2025 ***POSITION: Oppose as Introduced***

Landlords will provide notice to a tenant when a court has issued a warrant of restitution for a failure of a tenant to pay rent, a breach of lease, or a tenant holding over listing the initial date of eviction as set by the courts.

HB 1076 Landlord and Tenant - Notice of Landlord Entry

PASSED – Effective October 1, 2025 ***POSITION: Oppose as Introduced***

A landlord must provide written notice to the tenant at least 24 hours prior to planned entry into the unit, unless an emergency exists. A landlord may only enter between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, or as agreed to by the tenant.

HB 1152/SB 896 Pet Policy Disclosure (Pet Policy Transparency Act)

PASSED – Effective October 1, 2025 ***POSITION: Oppose as Introduced***

Landlords must provide the property's pet policy on the property's website and as part of an application form for a rental unit on the property.

SB 609/HB 817 Use of Algorithmic Device by Landlord to Determine Rent

DID NOT PASS ***POSITION: Oppose***

Landlord may not use algorithmic devices or software to determine the amount of rent to charge a residential tenant. Future use would violate the Maryland Consumer Protection Act.

SB 32 Expedited Hearing and Service of Summons for Active Duty Service Members

PASSED – Effective October 1, 2025 ***POSITION: Support***

The District Court shall hold a hearing on a tenant holding over within 45 days if the landlord or the landlord's spouse is on active duty with the United States military. The use of private service of process is also allowed if the summons is not delivered within 10 days.

SB 856 Maryland Tenant Mold Protection Act

PASSED – Effective July 1, 2025 ***POSITION: Oppose as Introduced***

This requires a landlord to provide the informational pamphlet on mold to each tenant at the time the lease is signed and at tenant request; perform a mold assessment within 15 days after notice; and remediate mold within 45 days after the assessment is completed, if possible.

LAND USE, PROPERTY RIGHTS, AND THE ENVIRONMENT

HB 4/SB 120 Restrictions on Use - Solar Collector Systems

PASSED – Effective October 1, 2025 ***POSITION: Support***

Restrictions that increase the cost of the installation of a solar collector system by more than 5% or reduce the energy generation by 10% are prohibited.

HB 49 Building Energy Performance Standards - Alterations and Analysis

PASSED – Effective October 1, 2025 ***POSITION: Oppose as Introduced***

Initially, this bill would have charged a fee for buildings that did not meet energy usage requirements. As amended, this bill certifies county building energy programs and excludes emissions from public health and safety facilities.

HB 212 Building Standards – Fossil Fuel Use and Electric-Ready Standards

DID NOT PASS ***POSITION: Oppose***

All new buildings would be required to meet all energy demands without the use of fossil fuels by January 1, 2026.

HB 671 On-Site Sewage Disposal Systems - Climate Vulnerable Areas

WITHDRAWN ***POSITION: Oppose***

This bill would have prohibited the installation of new on-site sewage disposal systems and limited the replacement of existing systems in climate vulnerable areas.

HB 747 On-Site Wastewater Systems - Requirements for Inspection and Pumping

DID NOT PASS ***POSITION: Oppose as Introduced***

This bill would have required septic inspections and pump outs for each rental property at change of tenancy and for all properties during a home sale.

HB 973/SB 804 Better Buildings Act of 2025

DID NOT PASS ***POSITION: Oppose***

New buildings and significant improvements of buildings would meet all water and space heating demands without the use of fossil fuels, meet energy conservation requirements, and meet an electric- and solar-ready standard.

SB 117/HB 131 Bay Restoration Fund - Septic System Upgrade Program

PASSED – Effective July 1, 2026 ***POSITION: Support***

This bill modifies the prioritization and eligibility for projects that receive funding from the Bay Restoration Fund's (BRF) septic account, adding failing systems in the broader Chesapeake Bay watershed and those in the 500-year floodplain.

COMMERCIAL AND AFFILIATED INDUSTRIES

HB 347/SB 150 Real Property – Recordation and Land Records – Requirements

PASSED – Effective October 1, 2025 ***POSITION: Monitor***

This bill makes technical changes to reflect electronic filing of documents, formatting of filings, and removes outdated references.

HB 1021 Real Estate Appraisers - Licensure and Certification

PASSED – Effective October 1, 2025 ***POSITION: Support***

This bill exempts applicants from needing to hold a bachelor's degree or higher to qualify for licensure as a real estate appraiser or certification as a residential real estate appraiser.

HB 1151 Residential Real Property Sales – Appraisals

DID NOT PASS

POSITION: Support with Amendments

Appraisers would have been required to consider information provided by buyers and sellers, and would have created a state process for reconsideration of appraised values for properties.

HB 1516/SB 1026 Maryland Secondary Market Stability Act of 2025

PASSED – Effective Upon Enactment ***POSITION: Support***

This bill clarifies the state licensing requirements for passive trusts and other financial services providers, maintaining the ability of mortgage loans to be securitized on the secondary market.

SB 218/HB 264 Professional Licenses - Suspension and Revocation for Workplace Fraud

WITHDRAWN

POSITION: Monitor

Certain state licensing authorities would be required to suspend or revoke licensees who are reported by the Commissioner of Labor to have committed workplace fraud.

SB 689/HB 1018 Conventional Home Mortgage Loans - Assumption and Disclosures

PASSED – Effective October 1, 2025 ***POSITION: Support with Amendments***

This bill requires banking institutions, credit unions, and mortgage lenders to include a provision in all conventional home mortgage loans that allows any of the existing borrowers to assume the mortgage in the event of a divorce. This applies to both new and existing mortgages.

FY 2026 STATE BUDGET

HB 352 Budget Reconciliation and Financing Act

PASSED – Effective Beginning June 1, 2025 ***POSITION: Oppose as Introduced***

The Budget Reconciliation and Financing Act was amended several times over the course of the session. REALTORS® had opposed measures to reduce the estate tax, discontinue opportunity zone credits, and eliminate itemization on state tax returns. The final version makes several changes:

- **Itemization:** Increasing the standard deduction by 20%, while gradually phasing out itemized deductions for those with adjusted gross incomes above \$200,000
- **Income Taxes:** Adds two new income tax brackets:
 - 6.25% for single filers of \$500,000-\$1 million and joint filers of \$600,000-\$1.2 million
 - 6.5% for single filers above \$1 million and joint filers above \$1.2 million
- **Capital Gains:** Establishes a 2% surcharge on net capital gains if adjusted gross income is above \$350,000. This does not apply to the gains from the sale of real property used as a primary residence sold for less than \$1.5 million.

- **Technology Taxes:** Imposes a 3% tax on data and IT services provided within Maryland, based upon federally defined categories, while excluding certain cloud computing, cyber security, and other emerging technology services.
- **Removal of Tax Exemptions:** Repeals current exemptions for sales of photography used in advertising, sales of coins or bullion over \$1,000, and vending machine sales.
- **Local Income Taxes:** Local governments are authorized to increase the local income tax rate from 3.2% to 3.3%.
- **New vehicle fees and taxes:** Includes increases to increase:
 - titling fees to \$200;
 - excise tax rates to 6.5%;
 - annual registration fees for passenger, truck, multipurpose and rental vehicles;
 - rental car taxes to 3.5%; and,
 - \$5 fee per tire purchased.