

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. Bill Number: HB1243

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. Patron: Maldonado

3. Committee: Passed Both Houses

4. Title: Consumer protection; creation of Unfair Real Estate Service Agreement Act.

5. Summary: Creates the Unfair Real Estate Service Agreement Act and adds any violations of the Act to the list of prohibited violations of relevant consumer protection laws in the Commonwealth. The bill prohibits any real estate service agreement, defined in the bill, that is effective and binding for more than one year from its effective date from (i) purporting to run with the land or bind future owners of interests in the residential real property identified in the service agreement; (ii) allowing the service provider to assign or transfer the right to provide services under the service agreement without notice to and written agreement of all parties to the service agreement; or (iii) purporting to create a lien, encumbrance, or other real property security interest on the residential real property identified in the service agreement.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Final

8. Fiscal Implications: It is anticipated that this bill will not result in a fiscal impact to the Department of Professional and Occupational Regulation.

This bill would create a new enforcement responsibility for the Office of the Attorney General, and therefore may create a fiscal impact. However, the number of violations cannot be predicted so the impact is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Department of Professional and Occupational Regulation, Office of the Attorney General, courts

10. Technical Amendment Necessary: No

11. Other Comments: This bill is similar to SB576.