

## Explanation of Changes – July 2021 GCAAR Forms Release

### **UPDATE: GCCAR Form #900, Regulations, Easements and Assessments (REA) Disclosure and Addendum**

- The form was updated to revise language regarding agricultural reserve disclosures.
- Paragraph 15, Agricultural Reserve Disclosure Notice, was updated to reflect the proper application of the paragraph to all transactions in agricultural zones.
- A broken link in Paragraph 15 was also replaced with language updated to point agents to where they can find the necessary information.

### **UPDATE: GCAAR Form #904, Homeowners Association Seller Disclosure/Resale Addendum for Maryland**

### **UPDATE: GCAAR Form #921, Condominium Seller Disclosure/Resale Addendum for the District of Columbia**

### **UPDATE: GCAAR Form #922, Condominium Seller Disclosure/Resale Addendum for Maryland**

### **UPDATE: GCAAR Form #923, Homeowners Association Seller Disclosure/Resale Addendum for the District of Columbia**

- Forms were updated to clarify parties responsible for paying certain fees charged by Condominium and Homeowner Association management companies.
  - Montgomery County forms (921 and 923) also include a change to the Seller Disclosure to conform with a change in statute.
  - District of Columbia forms (904 and 922) has its Seller Disclosure section reworked to eliminate redundancy and maintain the integrity of the required statutory language.
- In all four forms, language was added to Payment of Fees and Assessments paragraph of Part II Resale Addendum as well as removal of language regarding special assessments in the same paragraph to add clarity that a Seller is responsible for paying existing or levied special assessments at settlement.
- Standardized language in following sections to ensure disclosure fidelity in all four forms: Current Fees and Assessments, Parking and Storage, and Management Company or Authorized Agent.

### **UPDATE: GCAAR Form #910, Listing Agreement for Improved Real Property and Co-operatives**

- GCAAR Form #920, Listing Agreement for Unimproved Real Property
- The forms were updated with new Broker's Fee language.

- In response to a recent judicial order in the Superior Court of the District of Columbia regarding brokers fees language in a real estate contract, the broker’s fee language in Paragraph 7 was updated to avoid any ambiguous language.
  - This includes when payment of brokers fees is due and an administrative reorganization of that section of Forms 910 and 920.

**UPDATE: GCAAR Form #1312, Montgomery County Jurisdictional Addendum to GCAAR Sales Contract**

- Updated Paragraph 2 to reflect the correct reference to the form for use when a Private Well and/or Septic is present.

**UPDATE: GCAAR Form #1322, Montgomery County Jurisdictional Addendum to Maryland REALTORS® Contract**

- Updated Paragraph 7 to reflect the correct reference to the form for use when a private Well and/or Septic is Present.

**UPDATE: GCAAR Form #1330, FHA Financing Addendum**

**UPDATE: GCAAR Form #1380, Tenancy Addendum for District of Columbia (Single-Family Accommodation) and GCAAR Form #1381, Tenancy Addendum for District of Columbia (2 to 4 Rental Units)**

- General formatting to comply with protocol.
- Original Buyer Acknowledgement paragraph was given a new placement as paragraph 1
- Tenancy paragraph was expanded to include checkboxes to indicate whether tenancy conveys.
- Three new subparagraphs were added regarding tenancy provisions and transfer of security deposits.
- Checkboxes related to Seller’s obligation to complete the settlement with or without vacancy have been moved from 2<sup>nd</sup> page to the new Possession sub-paragraph A.
- TOPA detailed were grouped in “TOPA” Paragraph #3 (essentially a disclosure paragraph and what needs to be done to comply with the law) and “TOPA Compliance” Paragraph #4 (what needs to happen to make settlement and comply with the title provisions).
- Specific to form 1380:
  - Under Paragraph #3, definition of “SFA” clearer by removing Code citation to condo/homeowner statute and provided stronger direction on required notices to ALL tenants (subparagraph A) and added a requirement to Seller that has not yet delivered the Notices to do so within 3 business days of ratification.
  - Under subparagraph “B. Notice for Elderly and Disabled Tenants”, committee expanded the list of necessary requirements for clarity and separated the checkbox sentence from the definitions to make clearer that action is needed.

**UPDATE: GCAAR Form #1390, Private Water Supply System and/or Septic Inspection Addendum**

- An errant checkbox next to Paragraph A was removed.
- A missing initial hashmark was added next to the checkbox for Paragraph B in Section 1.
- Page numbers were corrected.