

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SMG
ROFS

majority

Date: 6/5/17

L.D. 871

(Filing No. H-414)

JUDICIARY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 620, L.D. 871, Bill, "An Act To Require Disclosures Relating to the Sale of Residential Real Property Accessible Only by a Private Way"

Amend the bill by striking out the title and substituting the following:

'An Act To Require Disclosures Relating to the Sale of Residential Property Accessible by a Public Way and Any Means Other than a Public Way'

Amend the bill by striking out all of section 3 and inserting the following:

'Sec. 3. 33 MRSA §173, sub-§6 is enacted to read:

6. Access to the property. Information describing the means of accessing the property by:

A. A public way, as defined in Title 29-A, section 101, subsection 59; and

B. Any means other than a public way, in which case the seller shall disclose information about who is responsible for maintenance of the means of access, including any responsible road association, if known by the seller.'

SUMMARY

This amendment requires the disclosure in the sale of residential property of information regarding the means of accessing the property. The amendment revises the disclosure to a declaration of how the property is accessible: by a public way as well as by any means other than a public way. If the property is accessible by means other than a public way, whether as the only means of access or in addition to access via a public way, the owner is required to disclose information about who is responsible for maintenance of the means of the non-public way access, including any responsible road association, if known. The disclosure will put the prospective buyer on notice that access to the property may be limited and that there is a possibility that the property is subject to membership in a road association, which may require the payment of assessments. The amendment changes the title.

COMMITTEE AMENDMENT