

APPENDIX C

NOTICE OF INTENT TO SELL AND TENANT'S RIGHT OF FIRST REFUSAL

This Notice is required by Maryland law (Real Property Article, §8-119(d), Annotated Code of Maryland).

The owner of your rental property has received an offer to purchase the property and intends to sell it. Under Maryland law, you have, for a limited period of time, the right to make an offer to purchase the unit at the same price as the existing offer before the unit is sold to a third party. **THIS NOTICE IS A SOLICITATION OF AN OFFER TO PURCHASE THE UNIT, AND IS NOT INTENDED AS, AND MAY NOT BE CONSTRUED AS, A BINDING CONTRACT OF SALE.** Please read the information below carefully, as it contains important information about your right of first refusal and relevant deadlines. If you wish to make an offer to purchase the property, you may contract with a licensed real estate agent to create and negotiate an offer on your behalf. If you and the property owner agree on terms of sale, either you or the seller will need to prepare a formal contract of sale to be executed by all parties. If you have any questions about your right to purchase or entering into a contract of sale, you should contact an attorney.

- Within thirty (30) days of delivery of this Notice, you may deliver to the owner a written offer to purchase the property.
- If you make a timely offer to purchase the property at the same price as the existing offer received by the property owner and described on the second page of this Notice, the property owner is required by law to accept your offer.
- The owner is not required to accept an offer you make that has a purchase price lower than that in the existing offer.
- Your right of first refusal is terminated and the owner may sell the property to a third party if you:
 - Affirmatively decline to make an offer;
 - Fail to respond to this Notice within thirty (30) days; or
 - Make an offer with a purchase price lower than that in the existing offer, and the owner rejects your offer.
- If the property owner accepts your offer to purchase the property, and enters into a contract of sale with you, but the contract is terminated before settlement, your right of first refusal is terminated and the owner may sell the property to a third party.

- If more than one tenant of the property delivers a timely offer to purchase the property, the owner may select the more favorable offer without liability to any other tenant.

PROPERTY INFORMATION

(To be completed by property owner)

Property Address: _____

County: _____

Legal Description: _____

Tenant/Lessee Name: _____

Date Tenant/Lessee moved in (MM/DD/YYYY): _____ / _____ / _____

Rent under current lease: \$ _____ per (week / month / year)

Number of individual dwelling units in the property: _____

Number of individual dwelling units occupied as of the date of this notice: _____

TERMS OF EXISTING OFFER

(To be completed by property owner)

Date Existing Offer To Purchase Received (MM/DD/YYYY): _____ / _____ / _____

Purchase Price Proposed in Existing Offer: \$ _____

Other Proposed Material Terms in Existing Offer (for informational purposes only – tenant is not required to match other material terms in existing offer): _____

I HEREBY CERTIFY, under penalty of perjury, that the above information is true and correct to the best of my knowledge.

Owner Name

Signature

Date

Mailing Address

Phone

E-mail

NOTICE TO PROPERTY OWNER: A copy of this Notice is required to be transmitted to the Office of Tenant and Landlord Affairs, either electronically or by first-class U.S. Mail, upon delivery to the tenant.

CERTIFICATE OF MAILING

(To be completed by property owner)

I HEREBY CERTIFY that on this ____ day of _____, 20__, I sent a copy of this Notice via first-class U.S. Mail, postage prepaid, or by a delivery service providing delivery tracking and confirmation, to:

Tenant Name(s): _____

Mailing Address: _____

TENANT OFFER TO PURCHASE

INSTRUCTIONS: Check one of the two boxes below indicating whether you wish to submit an offer to purchase the property. If you check the first box, leave the rest of the form blank, sign where indicated, and return the form to the property owner. If you check the second box, fill in the rest of the form with the terms of your offer to purchase, including the proposed purchase price, settlement date, and any other material terms. Sign and return to the property owner within thirty (30) days of receipt of the attached Notice of Intent to Sell.

I/we do not wish to submit an offer to purchase the property.

I/we offer to purchase the property on the terms described below.

IMPORTANT: The information you provide below, if delivered to the property owner within 30 days of receipt of the attached Notice of Intent To Sell, constitutes a binding offer to purchase, the terms of which, if accepted by the property owner, will be incorporated into a binding contract of sale. **The section below should be filled out only if you intend to purchase the property.** You should consult an attorney before delivering this offer to purchase to the property owner if you have any questions about your legal obligations related to such an offer and/or contract.

Proposed Purchase Price: \$ _____

Proposed Settlement Date: _____

Other Proposed Material Terms (attach additional page if necessary): _____

Printed Name

Signature

Date

Printed Name

Signature

Date

Information about the tenants' exclusive negotiation period, right of first refusal, and multilingual versions of these forms are available online at the Maryland Department of Housing and Community Developments' Office of Tenant and Landlord Affairs website at dhcd.maryland.gov/landlord-tenant-rights.

If you have questions about your exclusive negotiation period or right of first refusal, or wish to obtain free financial counseling, homebuyer education, or information about down payment assistance or the Maryland Mortgage Program, or to report noncompliance with notice or other legal requirements, contact the Maryland Department of Housing and Community Development's Office of Tenant and Landlord Affairs at (855) 511-3423.