

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1456
Economic Matters

(Delegate Embry, *et al.*)

Finance

Consumer Protection - Residential Property Advertisement - Ownership
Verification

This bill prohibits a commercial entity (including a social media platform) from publishing or advertising information on residential property available for lease or sale on behalf of another unless the commercial entity verifies that the person is (1) the legal owner of the property; (2) an agent of the legal owner; or (3) exercising a legal remedy to sell the residential property under State law. A commercial entity must maintain a verification for at least three years. If a licensed real estate agent, broker, or associate broker publishes or advertises residential real estate property for sale or lease, the publication or advertisement must be considered verified if it (1) was made by the agent, broker, or associate broker on a website or multiple listing service or (2) is republished with consent of the agent, broker, or associate broker. A commercial entity that publishes or advertises information in violation of the bill must promptly remove the publication or advertisement. The bill applies only to residential property for lease or sale that is located in the State. Violation of the bill is an unfair, abusive, or deceptive trade practice under the Maryland Consumer Protection Act (MCPA), subject to MCPA's civil and criminal penalty provisions.

Fiscal Summary

State Effect: The bill's imposition of existing penalty provisions does not have a material impact on State finances or operations. The Office of the Attorney General, Consumer Protection Division, can handle the bill's requirements with existing resources.

Local Effect: The bill's imposition of existing penalty provisions does not have a material impact on local government finances or operations.

Small Business Effect: Minimal.

Analysis

Current Law: An unfair, abusive, or deceptive trade practice under MCPA includes, among other acts, any false, falsely disparaging, or misleading oral or written statement, visual description, or other representation of any kind which has the capacity, tendency, or effect of deceiving or misleading consumers. The prohibition against engaging in any unfair, abusive, or deceptive trade practice encompasses the offer for or actual sale, lease, rental, loan, or bailment of any consumer goods, consumer realty, or consumer services; the extension of consumer credit; the collection of consumer debt; or the offer for or actual purchase of consumer goods or consumer realty from a consumer by a merchant whose business includes paying off consumer debt in connection with the purchase of any consumer goods or consumer realty from a consumer.

The Consumer Protection Division is responsible for enforcing MCPA and investigating the complaints of aggrieved consumers. The division may attempt to conciliate the matter, issue a cease-and-desist order, or file a civil action in court. A merchant who violates MCPA is subject to a fine of up to \$10,000 for each violation and up to \$25,000 for each repetition of the same violation. In addition to any civil penalties that may be imposed, any person who violates MCPA is guilty of a misdemeanor and, on conviction, is subject to a fine of up to \$1,000 and/or imprisonment for up to one year.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Office of the Attorney General (Consumer Protection Division); Maryland Department of Labor; Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2026
jg/jkb Third Reader - March 31, 2026
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