

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1190

Page 1, line 1, after "to" insert "create and enact a new section to chapter 43-23 of the North Dakota Century Code, relating to real estate wholesale buyers and sellers; and to"

Page 4, after line 15, insert:

"**SECTION 3.** A new section to chapter 43-23 of the North Dakota Century Code is created and enacted as follows:

**Wholesale buyers and sellers - Disclosure.**

1. As used in this section:
  - a. "Residential real property" means real property with fewer than five dwelling units.
  - b. "Wholesaler" means a person that enters an agreement to make income or profit from the transfer of or equitable interest in residential real property.
2. A wholesaler of residential real property shall disclose in writing to all parties to the agreement that the wholesaler holds an equitable interest in the property, may not be able to convey title to the property, and intends to make a profit or income from the transfer of the equitable interest.
3. Notwithstanding any other provision contained in a contract for sale of residential real property, if a wholesaler violates this section, the seller may cancel the contract for sale at any time before the close of escrow without penalty and may retain any earnest money paid by the wholesaler.
4. Notwithstanding any other provision contained in the contract for sale, if a wholesaler violates this section, the buyer may cancel the contract for sale at any time before the close of escrow without penalty and must be refunded all earnest money paid by the buyer."

Renumber accordingly