

**SB246 INTRODUCED**



1 SB246

2 CXSFYQW-1

3 By Senator Orr

4 RFD: Fiscal Responsibility and Economic Development

5 First Read: 03-Feb-26



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## 4 SYNOPSIS:

5 Existing law does not provide specific consumer  
6 protections for victims of unsolicited  
7 investment-oriented real property solicitations. Also  
8 under existing law, the victim of an unfair service  
9 agreement can file a civil complaint and have a judge  
10 determine damages.

11 This bill would treat investment-oriented real  
12 property solicitations as transactions similar to  
13 unfair service agreements and would authorize the  
14 Alabama Securities Commission to investigate, regulate,  
15 enforce, and impose civil fines and penalties for  
16 violations of the unfair service agreement's statutes  
17 as well as unsolicited investment-oriented real  
18 property solicitations.

19 This bill would require unsolicited written  
20 offers to purchase real property to include certain  
21 notices to the owner, allow the owners to opt out of  
22 solicitations, allow cancellation of certain  
23 unsolicited purchase contracts, and provide that  
24 violations are a deceptive trade practice.

25 This bill would also make nonsubstantive,  
26 technical revisions to update the existing code  
27 language to current style.

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A BILL

TO BE ENTITLED

## AN ACT

33

34 Relating to consumer protection; to amend Sections  
35 8-42-1, 8-42-2, and 8-42-3, Code of Alabama 1975; to amend  
36 legislative findings to address investment-oriented  
37 solicitations involving real property; to authorize the  
38 Alabama Securities Commission to determine fines and penalties  
39 for violations of unfair service agreements; to add Sections  
40 8-42-1.1, 8-42-1.2, 8-42-1.3, 8-42-4, and 8-42-5 to the Code  
41 of Alabama 1975; to give the Alabama Securities Commission the  
42 power to regulate investment-oriented solicitations to  
43 homeowners, investigate complaints, and impose fines and  
44 penalties on violators; and would also make nonsubstantive,  
45 technical revisions to update the existing code language to  
46 current style.

47 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

48                   Section 1. Sections 8-42-1, 8-42-2, and 8-42-3, Code of  
49                   Alabama 1975, are amended to read as follows:

50 "§ 8-42-1

51                   The Legislature finds and declares all of the  
52 following:

53 (1) Wholesaling real property occurs when a buyer  
54 enters into a contract for purchase and sale of a  
55 single-family residential property with the seller, —of the  
56 property thereby creating the buyer's equitable interest in



57 the property~~r~~—the The buyer then finds a subsequent purchaser  
58 willing to pay a higher price for the property and~~—then~~  
59 assigns its interest to the subsequent purchaser for a fee.

60 (2) Certain unfair service agreements~~—provide~~ grant a  
61 real estate company~~—with~~ the right to market, list, or assist  
62 in selling a residential property for up to 40 years, binding  
63 homeowners and successors in interest through a recorded  
64 memorandum and penalizing the homeowner or successor in  
65 interest for breach of the agreement.

66 (3) The practices of wholesaling residential real  
67 estate~~r~~ and recording these unfair service agreements~~r~~ pose a  
68 significant risk to Alabama homeowners if left unregulated.

69 (4) The lack of any restrictions enables predatory  
70 practices against homeowners, especially those who have lived  
71 in a home for a long period of time, leading to financial loss  
72 and~~—resulting in~~ confusion for unsuspecting subsequent  
73 purchasers.

74 (5) The Legislature concludes the following in the  
75 interest of protecting Alabama homeowners and home~~—~~buyers:

76 a. ~~Disclosure of Buyers engaging in wholesaling should~~  
77 ~~be required to disclose~~ the limited interest, marketing, and  
78 assignment of the buyer's equitable interest in the  
79 homeowner's property~~—should be required of buyers engaging in~~  
80 ~~wholesaling~~.

81 b. Unfair service agreements create clouds on the  
82 titles of Alabama homes~~r~~—and burden Alabama homeowners with  
83 false promises, are against the public interest, and  
84 constitute unreasonable restraints on the alienation of real



85 property.

86       c. Investment-oriented solicitations involving real  
87 property present risks comparable to those of securities  
88 transactions and warrant disclosure-based regulation.

89       d. Nothing in this section shall be construed to  
90 infringe on the private property rights of an individual to  
91 acquire real property for his or her own use, ownership, or  
92 benefit.

93       e. Nothing in this section shall be construed to  
94 require an individual to be licensed in order to acquire real  
95 property for his or her own use, ownership, or benefit.

96       "§8-42-2

97       (a) A person may acquire an equitable interest in a  
98 single-family residential property as the buyer under a  
99 contract for the purchase and sale of the property and then  
100 may assign or offer to assign the interest for a fee if the  
101 buyer discloses in writing all of the following:

102       (1) ~~To any potential subsequent purchaser or assignee,~~  
103 ~~the~~ The nature of the buyer's equitable interest to any  
104 potential purchaser or assignee.

105       (2) ~~To the seller of the property, the~~ The buyer's  
106 intent to market its equitable interest to the seller of the  
107 property prior to ~~commencing any~~ marketing ~~of~~ the property.

108       (3) ~~To the seller of the property, the~~ The effective  
109 date of any assignment of the buyer's interest to a subsequent  
110 purchaser of the property to the seller of the property at  
111 least three business days prior to the effective date of any  
112 assignment.



113 (b) Written disclosure under subsection (a) shall be  
114 required for the intent to market and transfer an equitable  
115 interest in residential real property, as limited by  
116 subsection (d), whether by assignment, novation, or any other  
117 similar method of transferring an interest in real property.

118 (c) (1) A violation of this section is a Class C  
119 misdemeanor.

120 (2) In addition to criminal penalties, a person  
121 violating this section may be ~~liable to the person to whom~~  
122 ~~disclosure is required in an amount equal to three times the~~  
123 ~~fee or amount received by the buyer pursuant to the assignment~~  
124 subject to civil fines and penalties as determined by the  
125 commission pursuant to Section 8-42-1.3.

128 (d) This section shall only apply to transactions  
129 involving single-family residential property and shall not  
130 apply to any other property *transactions*.

131 (e) This section shall not infringe on the right of the  
132 parties to otherwise agree by contract.

133                             (f) This section shall not apply to predevelopment  
134 activity for residential subdivisions, condominiums, or other  
135 residential predevelopment activity.

136                   (g) This section shall not apply to an individual  
137                   acquiring real property for his or her own use, ownership, or  
138                   benefit unless the individual intentionally acquires the real  
139                   property for the benefit of a pass-through entity subject to  
140                   this chapter or as a means to circumvent the intent of this



141 chapter."

142 "§8-42-3

143 ~~(a) For purposes of this section the following terms~~  
144 ~~have the following meanings:~~

145 ~~(1) RECORDING. Presenting a document to a county judge~~  
146 ~~of probate for official placement in the public land records.~~

147 ~~(2) RESIDENTIAL REAL ESTATE. Real property located in~~  
148 ~~this state which is used primarily for a dwelling and contains~~  
149 ~~one to four dwelling units.~~

150 ~~(3) SERVICE AGREEMENT. A contract under which a person~~  
151 ~~agrees to provide services in connection with the purchase or~~  
152 ~~sale of residential real estate.~~

153 ~~(4) SERVICE PROVIDER. An individual or entity that~~  
154 ~~provides services to another party under a service agreement.~~

155 ~~(5) UNFAIR SERVICE AGREEMENT. A service agreement in~~  
156 ~~which the services subject to the agreement are not performed~~  
157 ~~within one year after the date upon which the agreement~~  
158 ~~commences and provides any of the following:~~

159 ~~a. Purports to run with the land or to be binding on~~  
160 ~~future owners of interests in the real property.~~

161 ~~b. Allows for assignment of the right to provide the~~  
162 ~~service without notice and agreement of the owner of~~  
163 ~~residential real estate.~~

164 ~~c. Purports to create a lien, encumbrance, or other~~  
165 ~~real property security interest.~~

166 ~~(b) (a) This chapter does not apply to any of the~~  
167 ~~following:~~

168 (1) A home warranty or ~~other type of~~ similar product



169 that covers the cost of maintenance ~~of~~ for a major ~~housing~~  
170 home system, such as plumbing or electrical wiring, for a set  
171 period of time from the date a house is sold.

172 (2) An insurance contract.

173 (3) An option to purchase or right of refusal to  
174 purchase real estate.

175 (4) A maintenance or repair agreement entered into by a  
176 homeowners' association in a common interest community.

177 (5) Agreements to manage residential real estate.

178 (6) A declaration of any covenants, conditions, or  
179 restrictions created in the formation of a homeowners'  
180 association, a group of condominium owners, or other common  
181 interest community, or an amendment to the declaration.

182 (7) A mortgage loan or commitment to make or receive a  
183 mortgage loan.

184 (8) A security agreement under Alabama's Uniform  
185 Commercial Code, relating to the sale or rental of personal  
186 property or fixtures.

187 (9) Water, sewer, electrical, telephone, cable, or  
188 other regulated utility service providers.

189 ~~(c)~~ (b) This section does not impair the rights granted  
190 by a mechanic's or materialman's lien under Division 8 of  
191 Article 5 of Chapter 11 of Title 35, or by ~~another~~ any other  
192 judicially imposed lien.

193 ~~(d)~~ (c) If a service agreement is unfair under this  
194 section chapter, it is unenforceable.

195 ~~(e)~~ (d) If a person enters into an unfair service  
196 agreement with a consumer, that agreement shall be deemed a

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197 deceptive act under the Deceptive Trade Practices Act,  
198 commencing with Section 8-19-1.

199 ~~(f)~~ (e) (1) No person shall record or cause to be  
200 recorded an unfair service agreement, or a notice or  
201 memorandum of an unfair service agreement, ~~in~~the this state.

202 (2) If an unfair service agreement is recorded in this  
203 state, ~~it~~ the agreement shall not be deemed to provide actual  
204 or constructive notice against an otherwise bona fide  
205 purchaser of the residential real property to which ~~it~~ the  
206 agreement pertains, or against a creditor with a security  
207 interest in ~~the residential real property to which it pertains~~  
208 that property.

209 (3) A service provider who records or causes to be  
210 recorded an unfair service agreement, or a notice or  
211 memorandum ~~thereof~~ of an unfair service agreement, in this  
212 state is liable to an affected party for statutory damages in  
213 the amount of ten thousand dollars (\$10,000) ~~in statutory~~  
214 damages.

215 ~~(g)~~ (f) If an unfair service agreement, or a notice or  
216 memorandum of an unfair service agreement, is recorded in the  
217 state, any party with an interest in the residential real  
218 property to which ~~it~~ the agreement pertains may take either or  
219 both of the following actions:

220 (1) Apply to the circuit court in the county where the  
221 recording ~~exists~~ is located to seek a court order declaring  
222 the agreement ~~is~~ void ~~and of no effect~~.

223 (2) In addition to the statutory damages described in  
224 subdivision ~~(f)~~ (e) (3), recover actual damages, plus costs and

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225 attorney fees as may be proven against the service provider  
226 who recorded the agreement."

227 Section 2. Sections 8-42-1.1, 8-42-1.2, 8-42-1.3,  
228 8-42-4, and 8-42-5 are added to the Code of Alabama 1975, to  
229 read as follows:

230 §8-42-1.1

231 For purposes of this chapter, the following terms have  
232 the following meanings:

233 (1) COMMISSION. The Alabama Securities Commission.

234 (2) CONTACT. Any communication delivered by mail,  
235 courier, email, text message, social media message, telephone  
236 call, voicemail, prerecorded message, or similar method.

237 (3) INVESTMENT-ORIENTED REAL PROPERTY SOLICITATION. Any  
238 communication, offer, agreement, or transaction involving real  
239 property in which the expected economic benefit to the  
240 offeror, directly or indirectly, is derived primarily from  
241 resale, assignment, appreciation, fee extraction, or  
242 contractual arbitrage, rather than occupancy or personal use  
243 by the offeror.

244 (4) OFFEROR. Any person acting directly or indirectly  
245 on behalf of another person.

246 (5) RECORDING. Presenting a document to a county judge  
247 of probate for official placement in the public land records.

248 (6) RESIDENTIAL REAL ESTATE. Real property located in  
249 this state which is used primarily for a dwelling and contains  
250 one to four dwelling units.

251 (7) SERVICE AGREEMENT. A contract under which a person  
252 agrees to provide services in connection with the purchase or



253 sale of residential real estate.

254 (8) SERVICE PROVIDER. An individual or entity that  
255 provides services to another party under a service agreement.

256 (9) UNFAIR SERVICE AGREEMENT. A service agreement in  
257 which the services subject to the agreement are not performed  
258 within one year after the date upon which the agreement  
259 commences and which provides any of the following:

260 a. Purports to run with the land or to be binding on  
261 future owners of interests in the real property.

262 b. Allows for assignment of the right to provide the  
263 service without notice to and agreement of the owner of  
264 residential real estate.

265 c. Purports to create a lien, encumbrance, or other  
266 real property security interest.

267 (10) UNSOLICITED. Initiated without an affirmative  
268 request by the property owner within the preceding 12 months  
269 and not made pursuant to an existing written agreement with  
270 the property owner.

271 §8-42-1.2

272 (a) The commission shall have authority under this  
273 chapter to administer, implement, and enforce all regulated  
274 conduct, individuals, and entities in this chapter, along with  
275 issuing licenses for these activities. This authority extends  
276 to regulating investment-oriented real estate solicitations,  
277 assignments or offerings of assignments of equitable  
278 interests, recorded service agreements, unfair service  
279 agreements, unsolicited offers, and related practices. This  
280 exclusive authority applies regardless of any license an

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281 individual or entity may hold under any other legal provision.

282 (b) The commission may adopt rules necessary to carry  
283 out this chapter, including, but not limited to, rules  
284 governing:

285 (1) Consumer complaint intake and resolution  
286 procedures;

287 (2) Disclosure forms and content;

288 (3) Examination, reporting, and recordkeeping  
289 requirements;

290 (4) Any licensing, permitting, or registration program,  
291 and fees established, by rule;

292 (5) Any renewal, suspension, or revocation program  
293 established, by rule;

294 (6) Penalty schedules and remedial measures;

295 (7) Defining additional unfair, deceptive, or abusive  
296 practices; and

297 (8) Definitions and standards necessary to preclude  
298 circumvention of this chapter.

299 (c) The commission may:

300 (1) Conduct investigations and examinations;

301 (2) Require the production of documents and testimony;

302 (3) Issue subpoenas;

303 (4) Issue cease and desist orders;

304 (5) Suspend, revoke, or condition any license, permit,  
305 or registration established, by rule;

306 (6) Impose administrative fines and penalties for each  
307 violation;

308 (7) Order restitution, rescission, disgorgement, or



309 other remedial relief;

310 (8) Prosecute criminal violations where authorized by  
311 law; and

312 (9) Coordinate with other agencies as authorized by  
313 law.

314 (d) The commission may bring an action in any court of  
315 appropriate jurisdiction for:

316 (1) Injunctive or other relief;

317 (2) Civil penalties;

318 (3) Restitution, rescission, or disgorgement;

319 (4) Enforcement of administrative orders;

320 (5) Recovery of investigative and enforcement costs;

321 and

322 (6) Appointment of a receiver.

323 (e) Nothing in this chapter shall be construed to limit  
324 criminal prosecution under any provision of law or to require  
325 exhaustion of administrative remedies before criminal  
326 enforcement.

327 (f) Enforcement under this chapter shall be in addition  
328 to, not in lieu of, remedies available under the Deceptive  
329 Trade Practices Act.

330 (g) Any contractual provision attempting to waive  
331 rights, remedies, or protections under this chapter is void  
332 and unenforceable as against public policy.

333 (h) The authority granted under this chapter applies to  
334 individual violations as well as to patterns or practices of  
335 conduct, whether arising under a single section or multiple  
336 sections of this chapter.



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337 (i) The existence or nonexistence of an enforcement  
338 action by the commission or other governmental agency pursuant  
339 to this section shall not bar, delay or diminish any private  
340 right of action.

341 §8-42-1.3

342 (a) The commission may impose administrative fines and  
343 penalties per violation. The civil penalty shall not exceed  
344 one million dollars (\$1,000,000) per violation, provided that  
345 the aggregate civil penalty assessed in a single  
346 administrative order shall not exceed one hundred million  
347 dollars (\$100,000,000). Each day an act, omission, or  
348 violation continues shall constitute a separate violation.

349 (b) In determining the amount of any civil penalty, the  
350 commission shall consider all relevant factors, including:

351 (1) The nature, gravity, and duration of the violation,  
352 including any irreparable harm or risk of harm to property  
353 owners;

354 (2) The degree of culpability, intent, or recklessness  
355 demonstrated by the violator;

356 (3) The facts, circumstances, and conduct in connection  
357 with the investment-oriented real estate activity at issue;

358 (4) The economic benefit, compensation, or other  
359 financial gain obtained, directly or indirectly, as a result  
360 of the violation;

361 (5) Any prior history of violations of this act, the  
362 Alabama Securities Act, or related consumer protection laws;  
363 and

364 (6) The violator's ability to pay the assessed penalty.



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365 (c) Civil penalties under this section may be assessed  
366 for any violation occurring within five years after the  
367 discovery of the fraud.

368 (d) All civil penalties recovered under this section,  
369 except for amounts representing the reasonable costs incurred  
370 by the commission in the investigation and enforcement of  
371 violations, shall be deposited into a consumer recovery fund  
372 which shall be administered by the commission. The fund shall  
373 be budgeted and allotted in accordance with Article 4 of  
374 Chapter 4 of Title 41 and Chapter 19 of Title 41. Money in the  
375 fund shall only be used to compensate individuals for economic  
376 losses resulting from fraudulent conveyances.

377 §8-42-4

378 (a) This section shall govern every unsolicited  
379 electronic, telephonic, or video communication, or written  
380 inquiry, solicitation, or mailing by any individual or entity,  
381 whether acting as a principal, investor, intermediary, or  
382 agent, that makes an investment-oriented real property  
383 solicitation and that expresses an interest in any of the  
384 following:

385 (1) Buying real property or an option to buy real  
386 property from the addressee.

387 (2) Buying the real property to which the written  
388 inquiry or mailing is addressed.

389 (3) Offering services relating to the sale of real  
390 estate.

391 (b) Any unsolicited communication or solicitation  
392 governed by this section that constitutes an



393 investment-oriented real property solicitation by any  
394 individual or entity that expresses an interest in: (i) buying  
395 real property or an option to buy real property from the  
396 addressee; (ii) buying the real property to which such written  
397 inquiry or mailing is addressed; or (iii) offering services  
398 relating to the sale of real estate, shall include the  
399 following:

400 (1) At the top and at least two inches from any other  
401 text in the written inquiry or mailing, the following notice  
402 in capital letters: "THIS IS A SOLICITATION. THE SENDER IS  
403 CONTACTING YOU TO INQUIRE ABOUT YOUR INTEREST IN SELLING YOUR  
404 HOME OR OTHER REAL ESTATE. YOU ARE NOT OBLIGATED TO RESPOND."

405 (2) If the solicitation includes a monetary offer,  
406 after the text required in subdivision (1), the following  
407 notice in capital letters: "THIS OFFER MAY OR MAY NOT BE THE  
408 FAIR MARKET VALUE OF THE PROPERTY."

409 (3) If the solicitation includes a monetary offer less  
410 than the previous year's assessed value for ad valorem taxes  
411 set by the county tax assessor for the county where the  
412 property is located, following the text required in  
413 subdivision (2), the following notice in capital letters:  
414 "THIS OFFER IS LESS THAN THE COUNTY ASSESSED VALUE FOR THIS  
415 PROPERTY."

416 (4) On the front of the envelope or, if there is no  
417 envelope, on the part of the written inquiry or mailing that  
418 bears the postage stamp or postage amount, the following  
419 notice in capital letters: "SOLICITATION. YOU ARE UNDER NO  
420 OBLIGATION TO OPEN OR TO RESPOND."



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421 (5) On the front of the envelope or, if there is no  
422 envelope, on the part of the written inquiry or mailing that  
423 bears the postage stamp or postage amount, the following  
424 notice in capital letters: "YOU ARE ENCOURAGED TO SEEK  
425 GUIDANCE FROM A LICENSED REAL ESTATE AGENT OR ATTORNEY OF YOUR  
426 CHOOSING."

427 (6) The notices required in subdivisions (1) and (2)  
428 shall be:

429 a. In a font that matches the majority of the text of  
430 the written inquiry or mailing;

431 b. At least the size of the text of the written inquiry  
432 or mailing, and in any case no smaller than 16-point font; and

433 c. Displayed in a distinctly contrasting color.

434 (c) If an offeror makes an unsolicited offer to buy  
435 real property by sending a written agreement or purchase  
436 contract via mail or electronic means to an offeree, and the  
437 offeror does not use the assistance of a broker or brokerage  
438 service, as defined in Chapter 27 of Title 34, or a licensed  
439 attorney, as defined in Chapter 3 of Title 34, then the  
440 offeree may cancel the agreement or contract by mailing  
441 written notice of cancellation to the offeror, postmarked no  
442 later than 30 days from the date of the confirmation letter  
443 described in this section.

444 (d) An unsolicited offer to buy real property delivered  
445 by mail or electronic means is not considered accepted by the  
446 offeree until:

447 (1) The offeree signs the agreement or contract;

448 (2) The offeror receives the signed agreement or



449 contract; and

450 (3) The offeror mails or electronically transmits a  
451 confirmation letter to the offeree confirming receipt of the  
452 signed agreement or contract, explaining the offeree's right  
453 to cancel, describing how to cancel, and stating the  
454 cancellation deadline.

455 (e) Cancellation of the agreement or contract by the  
456 offeree under this section shall not result in any penalty to  
457 the offeree. Any agreement or contract that penalizes an  
458 offeree for canceling within the prescribed 30-day period is  
459 void. The offeree shall return all payments received from the  
460 offeror no later than 30 days after cancellation.

461 (f) A third-party buyer who purchases the real property  
462 from the offeror before the offeree's right to cancel expires  
463 takes title subject to that right. If the offeree exercises  
464 the right to cancel, the title acquired by the third-party  
465 buyer becomes void, and title reverts immediately to the  
466 offeree. Such reversion shall occur by operation of law, and  
467 any conveyance derived from the voided title is likewise void.

468 (g) Violations of this section shall be enforced in  
469 accordance with Section 8-42-1.2.

470 (h) This chapter does not apply to properties that are:

471 (i) subject to an active written listing agreement with a  
472 licensed real estate broker; (ii) marketed for sale by the  
473 property owner or to an individual attempting to acquire an  
474 interest in real estate from another person with whom he or  
475 she has an existing business or personal relationship; (iii)  
476 or where the property interest being acquired is for his or



477 her personal use or benefit.

478                   \$8-42-5

479                   (a) This section applies to any individual or entity  
480 that makes an investment-oriented real property solicitation  
481 that makes an unsolicited written, electronic, or telephonic  
482 communication to a property owner for the purpose of doing any  
483 of the following:

484                   (1) Making an offer to purchase real property;

485                   (2) Securing an option to purchase real property; or

486                   (3) Soliciting services relating to the sale of real  
487 property.

488                   (b) (1) No person or entity shall make more than three  
489 unsolicited communications to the same property owner  
490 regarding the same parcel of real property within any 12-month  
491 period.

492                   (2) Each of the following constitutes a separate  
493 unsolicited communication:

494                   a. A written mailing or delivery;

495                   b. An electronic message, including email or text  
496 message; and

497                   c. A telephonic communication, including voicemail.

498                   (3) Multiple communications made within a seven-day  
499 period shall be considered one communication for purposes of  
500 this section.

501                   (c) (1) Each unsolicited communication shall include a  
502 clear and conspicuous method by which the property owner may  
503 opt out of further communications from that person or entity.

504                   (2) Upon receipt of an opt-out request, the person or

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505 entity shall cease all further unsolicited communications  
506 regarding the property and honor the opt-out for a minimum of  
507 five years.

508 (3) Any unsolicited communication made after receipt of  
509 an opt-out request constitutes a separate violation.

510 (d) It shall be a violation of this chapter to:

511 (1) Use multiple affiliated entities or agents to  
512 circumvent the requirements of this section;

513 (2) Recharacterize substantially similar offers to  
514 circumvent the 12-month limitation; or

515 (3) Engage in harassment, coercion, or repeated  
516 communication intended to pressure a property owner.

517 (e) (1) A person subject to this section shall maintain  
518 records sufficient to demonstrate compliance, including:

519 a. Dates and methods of communication;

520 b. Identity of the communicating party; and

521 c. Opt-out requests received.

522 (2) Records shall be retained for not less than five  
523 years and shall be subject to examination by the Alabama  
524 Securities Commission.

525 (f) Violations of this section shall be enforced in  
526 accordance with Section 8-42-1.2.

527 (g) Nothing in this section shall be construed to  
528 prohibit a single, good-faith, unsolicited offer that complies  
529 with this chapter or restrict communications initiated by the  
530 property owner.

531 Section 3. This act shall become effective on October  
532 1, 2026.