Maryland
DEPARTMENT OF GENERAL SERVICES

Wes Moore, Governor | Aruna Miller, Lt. Governor | Atif Chaudhry, Secretary

TO: **Chair and Members, Real Estate Advisory Committee**

FROM: **NaShona Kess, Deputy Director, Department of General Services Government and Legislative Affairs**

DATE: **October 26, 2026**

SUBJECT: **Maryland Statutes and Regulations Governing Real Property Transactions and Leasing**

PURPOSE

To provide Committee members with an organized reference list of the principal Maryland statutes, regulations, and related authorities concerning State real property acquisition, leasing, management, transfer, and disposition.

I. Overview

This reference guide identifies principal Maryland statutes and administrative regulations affecting the acquisition, leasing, management, transfer, and disposition of real property by the State of Maryland. It is organized as a resource for the Real Estate Advisory Committee (REAC), with particular attention to DGS responsibilities, Board of Public Works (BPW) approvals, competition, appraisal, and asset disposition.

II. Primary Maryland Statutes

Authority	Subject / Committee Relevance
SFP § 4-417	Establishes REAC, including membership, advisory responsibilities, meetings and reporting.
SFP §§ 4-411–4-414	DGS land acquisition functions and associated procedures.
SFP § 4-415	Secretary of General Services review and BPW approval of specified land acquisition contracts; notice requirements and exceptions.
SFP §§ 4-318–4-322	State leasing procedures, space needs, public notice, and related functions.
SFP § 5-310	Identification and review of excess State real property and potential disposition.

Authority	Subject / Committee Relevance
SFP § 10-304	Transfers of custody and control of property between Executive Branch units.
SFP § 10-305	Sale, lease, transfer, exchange, grant or other disposition of State property; approvals and consideration.
SFP § 12-107	Procurement jurisdiction, including authority relating to real property leases.
SFP § 12-204	BPW approval for execution and renewal of certain State leases, subject to exceptions.
SFP § 13-105	Procedures for leasing real property through competitive sealed proposals.
SFP § 4-416	Establishes independent appraisal requirements for State acquisitions of real property from private owners, including the requirement for two independent appraisals, subject to statutory exceptions.

III. Code of Maryland Regulations (COMAR)

Authority	Subject / Committee Relevance
COMAR 21.01.02.01	Procurement definitions and terminology.
COMAR 21.02.05.01	DGS procurement responsibilities involving real property leasing and space.
COMAR 21.02.05.05	DGS Space Management Manual and associated leasing responsibilities.
COMAR 04.02.01	Real property appraisal policy and review requirements.
COMAR 21.07.01.12	Termination for convenience provisions; subsection B specifically addresses real property leases and BPW discretion, on recommendation of the Secretary, regarding inclusion of the clause.
COMAR 04.02.02	Condemnation of Property; provisions governing covered condemnation-related acquisition procedures.
COMAR 34.02.02	State Clearinghouse procedures for reporting and processing excess State-owned property, substantial changes, and requests for rights-of-way or easements.
COMAR 21.02.05 (chapter reference)	DGS procurement administration and space management; parent chapter of §§ 21.02.05.01 and .05 already listed above.

Authority	Subject / Committee Relevance
COMAR 21.05 (subtitle reference)	Procurement methods and procedures; broader subtitle encompassing the specific competitive and sole-source provisions listed above.

IV. Recent Legislative Changes

Chapter 368, Acts of 2026 (House Bill 1557)

Establishment of the Real Estate Advisory Committee and State property acquisition and lease requirements.

Chapter 75, Acts of 2025 (House Bill 73)

Addresses the process for State leasing of real property, including changes to certain thresholds and advertising procedures.

V. Supplemental Transaction Considerations

Area	Review Considerations
Accessibility	ADA and applicable accessibility standards for State-occupied facilities.
Environmental diligence	Site assessments, known contamination, remediation and liability allocation.
Land use and zoning	Permitted uses, development constraints, building and occupancy rules where applicable.
Valuation	Independent appraisal, fair market value and market rent analysis.
Financial analysis	Occupancy costs, improvements, maintenance, renewal terms and lease-versus-buy.
Public accountability	Ethics, conflicts of interest, transparency and records obligations.

VI. DGS and BPW Administrative References

- Standard Lease
- Standard Lease General Conditions - Addendum A
- RFP's for Leased Space
- DGS Space Management Manual
- Lease Compliance and Enforcement Guidelines For the State of Maryland
- DGS Space Standards
- DGS appraisal specifications and procedures

- BPW agenda submission and approval procedures

VII. Additional Reference Sources

- Maryland General Assembly — Maryland Statutes
- Maryland Division of State Documents — COMAR
- House Bill 1557 (2026) — Committee Establishment and Property Requirements
- Maryland Board of Public Works — Procurement
- DGS Real Estate Advisory Committee
- DGS Office of Real Estate