



JUSTICE FOR ALL

**MARYLAND HOUSE JUDICIARY COMMITTEE
TESTIMONY OF MARYLAND VOLUNTEER LAWYERS SERVICE IN
SUPPORT WITH AMENDMENTS OF HB0625: Real Property –
Transfer on Death Deed – Establishment
WEDNESDAY, February 12, 2025**

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Chair Clippinger and distinguished members of the Committee, thank you for the opportunity to testify in support of House Bill 0625, with sponsor amendments.

My name is Aisha Snead, and I am the Advance Planning Coordinator at the Maryland Volunteer Lawyers Service (MVLS). MVLS is the oldest and largest provider of pro bono civil legal services to low-income Marylanders. MVLS was founded in 1981 by a group of concerned Maryland lawyers, legal services providers, and leadership of the Maryland State Bar Association. Since then, our statewide panel of over 1,700 volunteers has provided free legal services to over 100,000 Marylanders in a wide range of civil legal matters. In FY24, MVLS volunteers and staff lawyers provided legal services to 2,950 people across the state. Two of the areas MVLS provides legal services for are housing and estate planning and administration. As part of our Advance Planning Project and My Home, My Deed, My Legacy Project, we encounter numerous clients facing economic barriers, such as probate fees, which make it difficult to transfer property. Many low-income Baltimoreans are homeowners living in a family-owned home and often the home is their greatest, and only, asset. A lack of affordable access to estate planning, or tools to legally transfer the deed after the owner dies is one of the largest vectors of housing loss. For the reasons explained below, we respectfully request a favorable report on House Bill 0625 with sponsor amendments.

Our clients often face heirs' property issues, an increased vulnerability to housing loss and family instability, our communities, by systemic policies face what often becomes vacant and blighted properties. In Baltimore City alone we have over 15,000 vacant properties, some lost to property tax sales, others to the innumerable cost of probate, some misclassified because it has an heir's property issue, and it is assumed that no one has taken ownership. One of the best approaches to avoiding these barriers is through estate planning. Residential property owners having affordable tools and streamlined processes to protect their property and legally transfer it to their named heirs is prevention of the former. Having a statutory Transfer on Death Deed is that tool. HB0625 will allow homeowners to protect the future of their property, and the proposed amendments will mitigate the risks of financial abuse from use of TODD.

Residents living on a fixed income often struggle to meet the financial burdens of homeownership such as mortgage payments, property taxes, utility bills, insurance, and home repairs. Many of these homes have been passed down for multiple generations, without an estate being opened or a new deed recorded. Without transfer of the deed after death, the house remains in the name of the initial family member that may have even died 20 years ago or more. Most residents have no idea they need to open an estate to transfer the property and never do. Most residents will not have access to free legal services, and many cannot afford legal representation to make an estate plan to transfer ownership of their property upon death. Creation of a statutory transfer on death deed will provide real property owners a standardized and affordable method to plan for the disposition of their property.

When property transfer has not happened, subsequent heirs occupying a property cannot access critical resources to help make maintaining the home affordable, and it exacerbates their vulnerability to housing loss. MVLS, found by research in partnership with The SOS Fund and Baltimore Neighborhood Indicators Alliance, isolating a period of ten years between 2009 and 2019 in Baltimore City, that approximately 3,300 homes have potential heirs' property issues. It is suspected that we will find this repeated several times over. These estates become more complex and more difficult to unravel with the passing of each generation. For a great many of our tangled title clients if they had an accessible TODD just one generation ago, it would have cleared an immediate path to homeownership, stability and wealth retention. HB 0625 represents a meaningful step toward reducing the number of heirs' properties in the state and areas that are vulnerable to housing loss, property tax sale and vacant properties.

MVLS supports HB0625 with sponsor amendments because it is a critical piece of legislation that seeks to empower Maryland homeowners with a simple and accessible tool for estate planning: the Transfer-on-Death Deed (TODD). HB0625 will help preserve generational wealth, stabilize communities, and reduce systemic inequities that impact historically disinvested neighborhoods. Chair Clippinger and members of the Committee, thank you again for the opportunity to testify.

