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The Honorable J. Sandy Bartlett, Chair
House Office Building, Room 101
Annapolis, Maryland 21401

Informational – HB 1148 – Property Taxes – Tax Sales, Heirs Protection Program, and Tax Credits

Dear Chair Bartlett and Committee Members:

My name is Alexis Burrell-Rohde. I am the Register of Wills for Baltimore County. I am also President of the Register of Wills Association, but I am not here representing the Association. I was only recently made aware of this legislation and did not have time to discuss this Bill with my Association prior to submitting this written testimony.

In general, I am in favor of helping Marylanders avoid the tax sale of their homes. I have some concerns about how this legislation may function with Maryland probate laws.

To my knowledge, no Register of Wills was contacted about this legislation, despite being asked to collaborate to “develop a brief, easy-to-understand, step-by-step guide to probating an estate an estate and becoming the record title holder of a dwelling.” The Register of Wills already has a vast number of guides and resources on our website doing just this. Across the State, Register of Wills offices are geared to assist the public, without legal representation to opening and administering estates, so I do not believe we need to reinvent the wheel and develop a new guide.

I also get a general sense that this legislation may not really have the intended effect the way it is drafted because of established probate laws in Maryland. For example, if the dwelling at issue is an estate asset, then the personal representative would be the individual applying for any tax credits. Under Maryland laws of intestacy, property may pass to several beneficiaries equally. If only one child is living in the dwelling at issue, but there are more than one child inheriting the property, the other children would have an equal right to the property. That would impact the usefulness of this legislation the way it is written. All of the beneficiaries would have to agree to let one child become the owner. I am concerned that chaos may ensue if some of these issues are not addressed. I am happy to assist in this process and provide any information or guidance that may be helpful.

Best regards,

Alexis Burrell-Rohde

Alexis Burrell-Rohde
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