



HB 1148/SB 765
PROPERTY TAXES - TAX SALES, HEIRS PROTECTION PROGRAM, AND TAX CREDITS
HEARING BEFORE THE HOUSE WAYS AND MEANS COMMITTEE
March 3, 2026
POSITION: SUPPORT

The Pro Bono Resource Center of Maryland ("PBRC"), an independent 501(c)(3) non-profit organization, is the statewide thought leader and clearinghouse for volunteer civil legal services in Maryland. As the designated pro bono arm of the Maryland State Bar Association, PBRC provides training, mentorship, and pro bono service opportunities to members of the private bar and offers direct legal services through free legal clinics. PBRC supports HB 1148/SB 765 because it will help prevent the loss of homeownership among families who will be at risk of losing the family home after the death of the titled homeowner.

Over the past ten years, PBRC has assisted nearly 1,000 homeowners at risk of losing their homes to tax sale. As lower-income homeowners, the predominant form of accumulated wealth that they have, and that they can pass on to their families, is the equity in their homes. When homeowners pass away, the heirs to their home must open an estate and complete a lengthy and sometimes complicated process to obtain proper title to the home; the requirements to transfer a deed may force an unexpected and large expense on the family, and it is not an accessible process for many low-income surviving families. As a result, many families remain unable to transfer the deed in their names for a long time, if they ever do. This "heirs' property" or "tangled title" problem frequently lands families in tax sale.

In the last year we have added to our own capacity in response to this, but we know that there are large numbers of heir homeowners in our communities who need legal assistance to complete the process to obtain proper title. In addition, one factor that has contributed to the prevalence of this situation is the lack of knowledge around (a) the transfer of homeownership and (b) the benefits of obtaining proper title to the home. In the first instance, we find that many people assume incorrectly that they automatically inherited the home when their parent passed away. In the second, most people are unaware of the existence of financial assistance programs that would keep their property affordable and in good condition, such as property tax credit programs and home repair programs, and they are unaware that they would be able to access these programs if they undertook the process to get on the title to the home.

By allowing access to the State Tax Sale Ombudsman's assistance programs and tax credit programs, by increasing education about heir homeownership, and by facilitating access to legal services, these heir homeowners will be better positioned to obtain title, avoid tax sale foreclosure, and keep their homes and the equity their families have worked so hard to build.

HB 1148/SB 765 may protect certain Marylanders from the loss of their family home, thereby preserving homeownership and the transfer of intergenerational wealth.

For the above reasons,

PBRC urges a FAVORABLE report on HB 1148/SB 765.

Please contact Allison Harris, Director of PBRC's Home Preservation Project, with any questions.
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