

Article - Estates and Trusts

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§8–105.

(a) If the applicable assets of the estate are insufficient to pay all claims in full, the personal representative shall make payment in the following order:

- (1) Fees due to the register;
- (2) Costs and expenses of administration;
- (3) Funeral expenses as provided in § 8–106 of this subtitle;
- (4) Compensation of personal representatives as provided in § 7–601 of this article, for legal services as provided in § 7–602 of this article, and commissions of licensed real estate brokers;
- (5) Family allowance as provided in § 3–201 of this article;
- (6) Taxes due by the decedent;
- (7) Reasonable medical, hospital, and nursing expenses of the last illness of the decedent;
- (8) Rent payable by the decedent for not more than three months in arrears;
- (9) Wages, salaries, or commission for services performed for the decedent within three months prior to death of the decedent;
- (10) Assistance paid under the Public Assistance to Adults Program, as provided in § 5–407(d) of the Human Services Article; and
- (11) All other claims.

(b) (1) A preference may not be given in the payment of a claim over another claim of the same class.

(2) A claim due and payable is not entitled to a preference over claims not yet due.

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