

HOUSE BILL 208

D1, N1

6lr1131

(PRE-FILED)

By: **Delegate Griffith**

Requested: October 8, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Evidence – Proof of Ownership of Real Property**

3 FOR the purpose of establishing that certain documentation relating to real property may
4 be used to establish a rebuttable presumption of ownership of the property in certain
5 court proceedings; and generally relating to evidence of the ownership of real
6 property in court proceedings.

7 BY adding to

8 Article – Courts and Judicial Proceedings

9 Section 10–926

10 Annotated Code of Maryland

11 (2020 Replacement Volume and 2025 Supplement)

12 BY repealing and reenacting, without amendments,

13 Article – Real Property

14 Section 3–101(a) and (b)

15 Annotated Code of Maryland

16 (2023 Replacement Volume and 2025 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Courts and Judicial Proceedings**

20 **10–926.**

21 **(A) THE PURPOSE OF THIS SECTION IS TO ENABLE A NEW OWNER OF REAL**
22 **PROPERTY TO ENGAGE IN LEGAL PROCEEDINGS TO PROTECT THE PROPERTY**
23 **DURING THE PROCESSING TIME REQUIRED FOR THE RECORDATION OF A DEED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(B) (1) IN A PROCEEDING INVOLVING REAL PROPERTY, EVIDENCE THAT A DEED HAS BEEN SUBMITTED FOR RECORDATION TO THE CLERK OF THE CIRCUIT COURT OF THE COUNTY WHERE THE REAL PROPERTY IS LOCATED, OR OTHER DOCUMENTS REQUIRED BY LAW FOR THE SALE OF REAL PROPERTY OR TO SECURE A MORTGAGE, MAY BE USED TO ESTABLISH A REBUTTABLE PRESUMPTION OF OWNERSHIP OF THE PROPERTY.

(2) EVIDENCE PRODUCED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY INCLUDE:

(I) A CERTIFIED COPY OF THE COMPLETED INTAKE SHEET REQUIRED FOR RECORDATION UNDER § 3-104 OF THE REAL PROPERTY ARTICLE; OR

(II) A HUD-1 SETTLEMENT STATEMENT OR CLOSING DISCLOSURE REQUIRED UNDER THE FEDERAL REAL ESTATE SETTLEMENT PROCEDURES ACT.

(C) THE SUPREME COURT OF MARYLAND MAY ADOPT RULES AND FORMS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

Article – Real Property

3-101.

(a) Except as otherwise provided in this section, no estate of inheritance or freehold, declaration or limitation of use, estate above seven years, or deed may pass or take effect unless the deed granting it is executed and recorded.

(b) Subsection (a) of this section does not limit any other method of transferring or creating an estate, declaration, or limitation which is permitted by the law of the State except to the extent required by law.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2026.