



February 22, 2021

BILL NO: SB698 Real Property Transfer on Death Deed Task Force
COMMITTEE: Senate Judicial Proceedings
FROM: Mid-Shore Pro Bono, Inc.
POSITION: SUPPORT

*Connecting Low-Income
Individuals and Families who
need Civil Legal Services with
Volunteer Attorneys and
Community Resources*

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Mid-Shore Pro Bono (MSPB) recommends a favorable report on SB698, Real Property Transfer on Death Deed Task Force. By removing barriers to intergenerational transfer of ownership of property, this bill would help heirs of real property with limited means to maintain financial and housing stability, reduce homelessness, and prevent the loss of family homes.

Mid-Shore Pro Bono, Inc. is a Maryland nonprofit that connects low-income clients throughout Maryland's Eastern Shore with essential community resources. Each year, MSPB helps over 3,000 of our community's most vulnerable people access the legal system in times of need. Our network of volunteer lawyers provides free civil legal services that help families gain financial and housing stability and create safe, secure home environments for children.

During the COVID-19 emergency, MSPB has seen a significant increase in challenges faced by families with limited financial means to navigate the legal and financial impacts of losing a loved one. Surviving family members often lack the cash resources needed to pay for funeral expenses, medical bills, taxes, and other debts, or to open and administer an estate. Too often families are forced to sell the family home where surviving family members are still living in order to pay relatively minor bills. Surviving family members may be forced into bankruptcy, foreclosure, and homelessness as a result.

Some families suffer from long term impacts of the lack tools for intergenerational transfer of property, particularly when title becomes clouded by several generations living on a property without the deed ever changing. These cases require significant legal resources and time to untangle and can ultimately result in displacement of family members.

We need to provide efficient, low-cost tools for families to plan for the future and remove barriers to intergenerational transfer of property. We would like to see this task force review and consider transfer on death deeds, which are available in many other jurisdictions. We are hopeful that the task force will come up with recommendations that if passed will empower people with limited financial means to ensure that family properties pass down to the next generation.

For these reasons, MSPB urges the Judicial Proceedings Committee's support for SB698. If you have any questions regarding our position on this bill, please contact Meredith Lathbury Girard, Esq., managing attorney, Mid-Shore Pro Bono at 410-690-8128 or mgirard@midshoreprobono.org.

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