

As a homeowner in Maryland (specifically, a homeowner whose home is titled in my name only), I would like to request favorable consideration for HB986, for transfer-on-death deeds for real property. I have tried to make things as easy as I can for my family to handle after I pass away. I have designated a beneficiary for my bank accounts, and have designated a transfer-on-death recipient for my car — but current Maryland law says that my home will need to go through probate before it can be transferred, since it is titled in my name only. Nothing else I own will need to go through probate. I'm sure you understand the difficulties my family will incur while waiting to go through probate:

1. Inability to sell the house until probate is completed.
2. Requirement to pay property taxes until probate is completed and they can sell the house.
3. Needing to pay for utilities and maintenance to prevent the house from falling into disrepair during the probate waiting time.
4. Legal expenses of going through probate.

A majority of the other states have enacted laws for transfer-on-death for real property, and I have not heard of any instances of states which have tried to switch back again because of problems encountered.

I've seen bills on this issue come up in the Maryland House and Senate during the last couple of years, but they've failed each time. I'm not sure of the rationale, but have seen some comments from the state employees who manage the real-property database, saying that the changes would be difficult to implement. Perhaps it would be useful to ask them how the Maryland MVA (another state agency), managed to implement this change for automobiles several years ago, with no apparent problems.

On behalf of myself and the thousands of other Maryland homeowners who own a home in their name only, I ask for favorable consideration of HB986 to allow us to pass our homes to our family members without the time-consuming and costly probate process.

Judith Sammel