



February 13, 2024

The Honorable William C. Smith, Jr., Chair
Senate Judicial Proceedings Committee
Miller Senate Office Building, 2 East
Annapolis, MD 21401

Support: SB 423 – Real Property – Recordation – Procedures

Dear, Chair Smith and Committee Members:

The NAIOP Maryland Chapters representing more than 700 companies involved in all aspects of commercial, industrial, and mixed-use real estate supports SB 423. This bill establishes a process to notify parties to a real estate transaction of all fees, fines and taxes in a more comprehensive manner than exists today.

NAIOP's support is based on the following rationale:

- Commercial real estate transactions are often delayed or made more complicated by difficulties in identifying and satisfying all liens, fees or other charges owed to local governments or public utility companies prior to closing. Often lien certificates or reports of taxes due are not current or may be incomplete a fact that is not discovered until a deed is presented for recordation.
- SB 423 addresses these issues by requiring elevated cooperation between Clerks of the Court and Finance Offices; requiring that local governments provide a lien certificate that the parties can rely upon for through closing of the transaction.
- These changes will smooth the process for all concerned and are enabled by authorizing local governments to collect a fee of \$55 for issuing a lien certificate.

For these reasons, NAIOP respectfully requests your favorable report on SB 423.

Sincerely,

A handwritten signature in blue ink, appearing to read "T.M. Ballentine".

Tom Ballentine, Vice President for Policy
NAIOP Maryland Chapters -*The Association for Commercial Real Estate*

cc: Senate Judicial Proceedings Committee Members
Nick Manis – Manis, Canning Assoc.