HOWARD UNIVERSITY

SCHOOL OF LAW

February 24, 2026

Senator William C. Smith, Jr.
Chair, Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

RE: Senate Bill 651
Real Property – Transfer on Death Deed – Establishment

Dear Chair Smith, Vice-Chair Waldstreicher, and Members of the Judicial Proceedings Committee:

Thank you for the opportunity to submit written testimony in support of SB 651. My name is Maya Buchanan, and I am a third-year law student at Howard University School of Law. For the past 18 months, I have served as a research assistant for Professor Keeva Terry, focusing on Transfer on Death Deeds. This role has also allowed me to observe and conduct research related to the drafting of this bill.

At its core, SB 651 is about individual property rights and whether families can keep and pass down the homes they worked their entire lives to secure without facing unnecessary legal barriers.

In many communities, especially communities of color, access to estate planning resources has been, and continues to be, very limited. As a result, property is often transferred informally, leading to unclear ownership, property disputes, loss of the home, or increased vulnerability to displacement. Transfer on Death Deeds offer a simple and accessible solution. They allow a homeowner to designate a beneficiary on a standardized form; they take effect only at the death of the homeowner; they are publicly recorded; and they remain revocable during the homeowner's lifetime. These features make Transfer on Death Deeds both transparent and safe.

This legislation is particularly significant for Black and Brown families, for whom housing wealth is frequently the primary asset transferred across generations. When title becomes tangled, that wealth can be lost, exposing families to predatory acquisition and displacement.

SB 651 also aligns with Maryland's broader commitment to reparative justice, including the goals of the Maryland Reparations Commission. Supporting families to preserve existing homeownership is one meaningful and concrete way to prevent the continued erosion of generational wealth. Transfer on Death Deeds do not create wealth; rather, they help prevent its

loss by enabling the legal transfer of property outside the probate process, thereby avoiding the substantial expenses and delays often associated with probate proceedings.

Importantly, this bill does not replace traditional estate planning. Instead, it serves individuals who might otherwise have no plan at all. For many families, the choice is not between a Transfer on Death Deed and a comprehensive lawyer-drafted estate plan, but between a Transfer on Death Deed and no estate planning whatsoever.

SB 651 is an access-to-justice measure. Providing a simple, accessible, and publicly recorded option helps close estate planning gaps and protect families across generations.

For these reasons, I respectfully urge the Committee to support SB 651.

Thank you for your time and consideration.

Sincerely,

Maya Buchanan

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