



HB 208 – Courts - Evidence - Proof of Ownership of Real Property

Committee: House Judiciary Committee

Date: February 4, 2026

Position: Favorable

The Maryland Bankers Association (MBA) **SUPPORTS** HB 208. This legislation establishes a rebuttable presumption of ownership of real property when specified documentation is provided. HB 208 offers a clear, practical, and necessary legal mechanism to protect property owners and mortgage lenders during the period between settlement and the formal recordation of a deed.

The current recordation process creates an unavoidable gap between settlement and deed recordation. During this interim period, new property owners and mortgage lenders face heightened challenges in defending ownership interests, particularly when issues such as title disputes or fraudulent claims arise.

HB 208 directly addresses this concern by permitting certain documentation — such as evidence that a deed has been submitted for recordation, a certified intake sheet, or federal settlement documents including a HUD-1 or Closing Disclosure — to serve as the basis for a rebuttable presumption of ownership in court proceedings. This presumption enables new property owners, and consequently their lenders, to take immediate legal action to safeguard the property rather than waiting for the recordation process to conclude.

HB 208 reflects the practical realities of modern real estate transactions, strengthens consumer and lender protections, and provides courts with a consistent and reliable evidentiary standard. Accordingly, MBA urges the issuance of a **FAVORABLE** report on HB 208.

The Maryland Bankers Association (MBA) represents FDIC-insured community, regional, and national banks, employing thousands of Marylanders and holding \$194.8 billion in deposits in over 1,100 branches across our State. The Maryland banking industry serves customers across the State and provides an array of financial services including residential mortgage lending, business banking, estates and trust services, consumer banking, and more.

Submitted by: Evan Richards, Head of Government & Community Relations, Maryland Bankers Association
186 Duke of Gloucester Street, Annapolis, MD 21401
Phone: 410-269-5977 – Email: erichards@mdbankers.com