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THE MARYLAND HOUSE OF DELEGATES
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H.B. 208: Courts - Evidence - Proof of Ownership of Real Property

Chair Bartlett, Vice Chair Davis, and Esteemed Members of the House Judiciary Committee:

Today, I respectfully request a favorable report on H.B. 208: *Courts – Evidence – Proof of Ownership of Real Property*.

H.B. 208 is a targeted and practical piece of legislation that addresses a narrow issue that arises during real property transactions in Maryland. As members are aware, once a property sale is completed, there is often an administrative period during which the deed is being processed and recorded by the clerk of the circuit court. During this window, a purchaser has lawfully completed settlement, assumed financial responsibility for the property, and is functionally the owner, yet lacks a recorded deed that traditionally serves as formal proof of ownership in court.

This gap can create real world consequences. Without a recorded deed, new property owners may face unnecessary barriers when seeking to protect their property through judicial proceedings, including efforts to address squatting, prevent damage, or obtain timely court relief. H.B. 208 ensures that these individuals are not left without recourse during the limited processing period required for recordation.

To address this issue in a careful and balanced manner, H.B. 208 allows courts to consider evidence that a deed has been submitted for recordation, or other standard closing documents required by law, to establish a rebuttable presumption of ownership in proceedings involving real property. Importantly, this presumption is not absolute and preserves due process by allowing contrary evidence to be presented and evaluated by the court.

During the review of this legislation, the Office of the Clerks of the Circuit Court suggested a minor technical amendment. The amendment clarifies that proof of submission of a deed to either the county finance office or the clerk of the circuit court may be used for purposes of establishing ownership while recordation is pending and removes the term “certified” to accurately reflect how intake sheets are handled. We consider this a friendly amendment that improves clarity and better reflects existing practice without changing the intent of the bill.

H.B. 208 does not alter Maryland’s longstanding property law framework. It does not eliminate the requirement that deeds be recorded, does not change title standards, and does not create new

property rights. Instead, it provides clarity regarding what documentation courts may consider as evidence of ownership during the administrative period between settlement and recordation.

By aligning judicial practice with modern real estate transactions, H.B. 208 promotes fairness, consistency, and efficiency, while maintaining existing safeguards and respecting the courts' role in resolving disputes.

For these reasons, I respectfully request a favorable report on H.B. 208.

Thank you,

A handwritten signature in black ink, appearing to read "Mike Griffith", with a long horizontal flourish extending to the right.

Delegate Mike Griffith
District 35A, Cecil and Harford Counties
Vice Chair, Maryland Veterans Caucus, Maryland General Assembly-House of Delegates