



## *Maryland Attorney General's* **COVID-19 Access to Justice Task Force**

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### **SEPTEMBER 23, 2020 MINUTES OF THE RESOURCE DEVELOPMENT SUB-COMMITTEE MEETING OF THE MARYLAND ATTORNEY GENERAL COVID-19 RECOVERY TASK FORCE LIFE & HEALTH PLANNING COMMITTEE**

Attending: Danielle Cruttenden, Karren Pope-Onwukwe, Morris Klein, Jordana Guzman, Jen Yeagle and Shelby McCloskey

The goal of today's meeting is to get to a point where we can send the Handbook to the PACE Committee for review.

Danielle stated that the focus of last week's meeting was on the asset titling section. Jordana made the suggested edits. The Subcommittee members provided further edits to homeownership and Deeds Section:

- Remove the portion that discusses adding a child and replace it with something broader like "if the parents pass away without making any provisions for their property."
  - Do not want to leave the impression that adding the child to the deed is the first choice.
  - Changing it to say If the parents pass away without making proper legal arrangements for their home.
- Underline or bold the sentence "One should not assume that adding a family member to the deed to the home is the best thing to do."
  - Danielle made this edit.
- Question 2:
  - Indicate the results of the child not being an owner of the property. Suggested edit: as a result of the child not being the legal owner, there are several extremely beneficial programs out there that are inaccessible to the child.
    - Worried that mentioning the child here will leave the impression that the first thing that someone should do is add their children to their deed.
      - Might be better to say until a property has been transferred, these programs are not available.
  - Number two should come before number one.
    - Danielle made this edit.

- Corrected some grammatical errors in this question (they to the child)
- Include a statement that indicates that a child may not inherit the property even if he/she is making the payments and doing all the work
  - Danielle made this edit.
- Address the concerns about adding a child or person to one's deed.
  - This is addressed in question 8. Danielle added the suggested edits from the subcommittee members.
  - Adding a couple of names on the deed may result in the owner losing their homeowner exemption, because they no longer have a 50% interest in the property. (DC example). This is addressed in question 8. Link to different sections.
- Question 3:
  - Danielle further defined a life estate deed.
- Question 4:
  - Replace “bare” and “simple” with a life estate without powers
    - The new language may be confusing for a lay person. However, attorneys may not quickly understand what a client means by bare life estate deed.
  - Emphasize the fact that a life estate “without powers” takes away one's power to sell or mortgage the property.
  - Danielle made these edits.
- Question 5:
  - Define a Will more concisely. Danielle made this edit.
  - Emphasize that a deed trumps a will.
    - Link or reference to the previous section where this is discussed.
  - Capitalize the word Will for clarity.
- Question 6:
  - No additional edits to this question.
- Question 7:
  - Minor grammatical changes.
  - Bolded the words that we want to link to other sections
- Question 8:
  - Link to question one.
  - Say person instead of child so that people do not assume that problems only arise when adding a child
  - Add a statement that adding a person to a deed may have unintended consequences.
    - Include tax consequences.
  - Danielle made these suggested edits.

Danielle thanked everyone for all their hard work and continued participation. She asked that everyone review the document so that she can hand it off to the PACE Committee for review.