Maryland
Transfer-on-Death Deed
User Guide

September 2026

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MARYLAND VOLUNTEER LAWYERS SERVICE

MLTA Maryland Land Title Association

Authors and Acknowledgements

We want to thank all of the individuals and organizations who supported the effort to bring Transfer-on-Death Deeds to Maryland over the past several years. In particular, we wish to recognize Delegate N. Scott Phillips and Senator Shaneka Henson for their leadership on this bill in the 2026 legislative session, and to Jane Sternecky (Uniform Law Commission), Megan Good (Maryland Volunteer Lawyers Service), Jeffrey Thompson (Maryland Land Title Association), Bill O'Connell (Maryland State Bar Association), Vanessa Clark Brooks (office of Delegate N Scott Phillips), and Professor Keeva Terry, Maya Buchanan, and Niyah Norton (Howard University School of Law) for their work on the substance of the statute.

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How to Use This Guide

This Guide is intended to provide a comprehensive resource for homeowners in Maryland to act on their own to transfer property using the Transfer-on-Death Deed. **This resource is NOT legal advice**, nor is it a substitute for seeking advice from a lawyer. However, we recognize that not everyone is able to access a lawyer.

This Guide exists because we believe all homeowners in Maryland should have access to tools that allow them to plan effectively for passing their property to persons of their choosing, regardless of their ability to work with a lawyer.

See page 30 for a list of free legal services providers.

Tips for using this information effectively:

- **Read all of the instructions**. It can be tempting to jump straight into a form when one is available. The Instructions and Answers to Common Questions provide important information. Please review them carefully. After you have read all the instructions, use this Guide as you fill out the Transfer-on-Death Deed Form to easily and correctly identify where information should be placed.
- **Exercise caution**. Be aware that a Transfer-on-Death Deed is one tool of many, and it is not the best option for everyone. Be thoughtful about whether this tool really helps you to achieve your goals, and if it does not, please do not use it.
- **Do not ignore red flags**. In this Guide, there are warnings of common situations where you should seek the help of a lawyer because using the forms provided may not work to achieve your goals. These warnings do not cover every situation, but if they apply to you, please take them seriously and seek help from a lawyer.
- **Take your time**. If there is information or language in the instructions or forms that you do not understand, take the time to research the information so you can be sure you understand the actions you are taking.
- **Use the complete Form**. Instructional pages of the Guide have color in the left margin and use a different font than the forms. Pay attention to the formatting to make sure you are using the complete form and not missing any pages.



More Resources Online: When you see this icon (🔍), it indicates you can find more information on this topic online on **The People's Law Library of Maryland** website at **www.peoples-law.org**.

A Note on the Use of Artificial Intelligence (AI):

This Guide was developed by lawyers licensed to practice law in Maryland. Despite the advances in technology, **AI tools continue to provide inaccurate information and forms that are not appropriate for use in Maryland**. If you need assistance beyond the resources provided here, please review the Legal Resources on pages 30-32.

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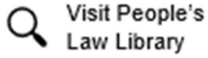
Transfer-on-Death Deed Overview

What is a Transfer-on-Death Deed?

A Transfer-on-Death Deed is a legal document that lets a property owner name someone (called a "beneficiary") to receive their real estate when they die. Upon the owner's death, the property automatically transfers to the beneficiary they named without going through probate (the process to inherit through a will).



As a property owner, a Transfer-on-Death Deed does not affect your ownership or give the beneficiary any interest in your property while you are alive. You keep full control of your property and can still sell or transfer it, mortgage it, or exercise your other property rights as you do today. If you transfer the property to someone else during your lifetime and you do not own any interest in it when you die, the Transfer-on-Death deed will have no effect.

Because you remain in control, you can cancel or revoke a Transfer-on-Death Deed at any time, as long as the revocation (cancellation) is recorded in the Land Records before you die.

What should I know before making a Transfer-on-Death Deed?

A Transfer-on-Death Deed can be an effective planning tool, but it is not right for everyone. The Transfer-on-Death Deed can only be used by current owners to name a beneficiary to inherit their share of the property when they pass away. It cannot be used to remove a deceased person's name from the deed or to add or remove a current owner.

Additionally, the Transfer-on-Death Deed is only effective if it is signed and recorded with the local Land Records office before the owner who made it passes away. For this reason, this deed is not an appropriate planning tool for a property owner whose death is imminent.

A Note for the Future

If you make a Transfer-on-Death Deed and later decide to sell or otherwise transfer your property, inform your realtor or lawyer that a Transfer-on-Death Deed has been recorded to determine whether you should revoke your Transfer-on-Death Deed during the process.

Finally, a Transfer-on-Death Deed will transfer the property with any existing loans, liens, or other claims still attached to it. These debts do not go away when you die and will remain with the property after it is transferred.

Should I consult a lawyer prior to completing this Form?

It is always recommended that you speak with a lawyer before signing a deed. Remember, the Transfer-on-Death Deed is not appropriate for all circumstances, so think carefully about whether its description matches your goals. The money saved by not using a lawyer may be small in comparison to the loss resulting from an improper deed. However, not everyone can reasonably access a lawyer, and the Transfer-on-Death Deed was designed to help property owners who cannot access a lawyer.

If you cannot afford a lawyer, contact the legal services providers on p. 30 to see if you qualify for free legal services.

⚠ Red flags that this Transfer-on-Death Deed Form may not be appropriate for you to use without speaking to a lawyer first include:

- Your name is not on the current deed to the property
- Your current legal name is different than your name on the current deed
- You own the property with other individuals whose goals are different than yours
- You want to name multiple people to inherit your property together
- You want to complete and record the Transfer-on-Death Deed Form because you are in failing health and have been advised that death is near
- You are being pressured into signing a Transfer-on-Death Deed
- After reading this Guide, you still have questions about how this deed works or how to complete the Transfer-on-Death Deed Form

How can I cancel a Transfer-on-Death Deed? (also known as Revocation)

Transfer-on-Death Deeds can be canceled (revoked) through a few different ways:

1. Complete a Revocation Form, have it acknowledged and signed by a notary public or another official legally authorized to take acknowledgments, and record it Land Records before you die. See page 20 for more information;
2. Complete, acknowledge, and record another Transfer-on-Death Deed Form that names a new beneficiary/ies. As long as you record it before you die, the most recent Transfer-on-Death Deed will be the effective deed, and the prior deed will be invalid;
3. Transfer the property to another person by some other type of deed, as long as it is recorded before death, eliminating your interest in the property and invalidating the Transfer-on-Death Deed;
4. If you have a Transfer-on-Death Deed that names an ex-spouse as your beneficiary or heir, the Transfer-on-Death Deed is automatically revoked following the completion of a divorce or annulment.

Instructions to Complete a Transfer-on-Death Deed

To make a valid Transfer-on-Death Deed, you need to complete three steps:

1. Complete the Transfer-on-Death Deed Form.
2. Sign the Deed in front of a notary public.
3. Record the Transfer-on-Death Deed in the County (or Baltimore City) where the property is located while you are alive.

Step 1: Complete the Form

Use this information as you complete the Transfer-on-Death Deed Form.

1. **Confirm the Deed Form is properly formatted**. Deeds must be formatted properly to be accepted by the Land Records office. Deeds must be printed single-sided on white paper, not double-sided. Font size must be size 8 or larger.

2. **Confirm you may create the deed**. The only persons legally permitted to create a deed are (1) a lawyer or (2) someone who is named in the deed. This remains true even if you are using a form. If you are not a lawyer, you may not create a Transfer-on-Death Deed for someone else. You may only create the deed if you are the property owner or a person named as a beneficiary.

3. **Print the name(s) of the current property owners who are participating in creating the Transfer-on-Death Deed**. The owner's name is required. The owner's mailing address is optional.

4. **Provide the Address and Legal Description for the property**. The legal description can usually be found on the current deed to the property. Most deeds have a detailed legal description that is more than just the property address.
    a. If you do not have a copy of the current deed, you can search for it on the Maryland Land Records website (https://landrec.msa.maryland.gov) or at the Land Records office in the county where the property is located.
    b. The legal description often begins with the word "BEGINNING" or "BEING", or it may be included at the end of the deed as an Attachment or Exhibit.
    c. If the legal description is too long for you to enter it in the space provided on the form, attach the description to your deed on a separate page, and indicate in the Legal Description section that it is attached by writing "See Attachment."

See the Appendix on page 34 for examples of how to locate the Legal Description and Recording Reference in your deed.

d. If you are having trouble locating your deed, consult a lawyer.

5. **Provide the Recording Reference of the Current Deed.**
   By indicating where within the Land Records your current deed is located, you strengthen your deed by showing that you are the current owner of the property and have the authority to make a Transfer-on-Death Deed.

   You can find this information on the recorded copy of the deed. The Book (or Liber) and Page (or Folio) numbers should be stamped on the first page of the deed. The numbers are usually located at the top, but if you do not see them there, check the left side of the page.

   If you do not have a copy of the recorded deed, you can search for it on the Maryland Land Records website (https://landrec.msa.maryland.gov) or at the Land Records office in the county where the property is located. You can often find a reference to the Book and Page numbers on the Maryland State Department of Assessments and Taxation Real Property Search website as well (https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx).

   Note: If a current owner has recorded a Transfer-on-Death Deed, it will not appear on the State Department of Assessments and Taxation's website, and can only be viewed via the Maryland Land Records website.

6. **Print the name of the beneficiary or beneficiaries**. The beneficiary is the person you are identifying to receive your property when you pass away. Providing their mailing address is optional.
   a. It is generally best to use the beneficiary's full legal name in the deed as that name appears on a state issued driver's license or identification card, even if they commonly use another name. Remember that a name on the deed that is quite different from a government-issued identification could lead to problems if they need to prove they are the new owners.
   b. It is advised that you inform the beneficiary they are named on your deed. However, if you choose not to tell them, it is strongly recommended that you include their address in the deed in case someone else needs to notify them of the inheritance in the future.

7. (If applicable) If you are naming more than one person as a beneficiary, **confirm the type of co-ownership** you want them to have when they inherit the property.
   a. The default type of co-ownership when using this form is Joint Tenants with Rights of Survivorship, which means that if one of your beneficiaries passes away while they still own the property, their portion passes to the other owner(s) automatically. However, you may change the deed if you do not want it to function in this way.

b. For more information on co-ownership, visit the People's Law Library website or contact a lawyer. Visit People's Law Library

8. (Optional) **Name an alternate beneficiary**. This section allows you to name a backup person to inherit the property if your primary beneficiary passes away before you. This is optional. If you do not complete this section and your beneficiary does not survive you, then your property will pass through the probate process.

9. **Complete the Preparer's Statement**. As the person who created the deed, complete and sign the Preparer's Statement at the end of the deed.

10. **Complete the Certification of Occupancy Status**. Mark or initial the line next to the option that best describes how the property is used by the current owner(s). This selection is important for maintaining the proper classification for the property and avoiding taxes being inappropriately charged in the future if the property is ultimately transferred via the Transfer-on-Death Deed.

11. **Owner(s) wait to sign the Deed**. After the deed is complete, the owner(s) should wait to sign it until they are in front of a notary public. Each owner who is making the deed will need to sign the deed in the presence of a notary public.

Step 2: Sign the Deed in Front of a Notary Public

The deed must be signed in front of a notary public or another official who can take acknowledgments. Most notaries will charge for their service at a rate set by state law, but you may be able to access one for free at your place of employment or your bank.

Notaries serve an important role by verifying your identity when you sign a legal document. Be sure to bring a form of photo ID with you to your appointment. Your name on your ID should match your name on the Deed. If you do not have a photo ID, ask your local notary public what other form of proof of identity they will accept.

Note: If your legal name has changed since you became an owner of the property, you should contact a lawyer for assistance with your deed.

Step 3: Record the Transfer-on-Death Deed

Visit People's Law Library

When a deed is submitted for recording, it is often (but not always) processed by two offices located in the County (or Baltimore City) where the property is located: the Finance Office, and the Land Records office within the Circuit Court.

Because the Transfer-on-Death Deed is new to Maryland, the authors of this Guide cannot guarantee how each jurisdiction will process the Deed. It is likely that the Deed will first need to be submitted to the Finance Office.

To avoid confusion and frustration, contact your local Finance Office to confirm the process to record a Transfer-on-Death Deed or other related materials (the Revocation Form and Notification of Death Form). Below are a few helpful tips related to recording a Transfer-on-Death Deed or related materials:

Items to bring with you to the Finance or Land Records office:

- **Your Deed**: The deed should already be completed, signed, and notarized.
- **Property Tax ID Number**: Each property has a unique ID number. You can find this number on your property tax bill or on the SDAT Real Property Data Search website. It is sometimes labeled as the *Account Number* or *Property Identifier*.
- **Filing Fee**: There is a fee to record a deed. Call your local Land Records office to confirm the amount and acceptable forms of payment in advance.
    - As of September 2026, the fee was $60 for deeds totaling 9 pages or less.
    - Cash, credit/debit cards, money orders, and business checks are widely accepted forms of payment. Personal checks may not be accepted. You are encouraged to check with the Land Records office in the county where you are filing the deed to ensure you have accurate information.

  Note: Even if you must file your deed with the Finance Office first, the cost to record the deed is collected by the Land Records office. It is for this reason that you contact Land Records to confirm payment methods.

Complete the required Intake Sheet(s):

Every locality requires you to complete and submit an Intake Sheet form along with a deed. You may find the required form online or request it at the Finance or Land Records office. Baltimore City uses a different form than other counties in Maryland. Usually, not every item on the form is required to be completed, but if requested, be sure to carefully complete the following:

- Type of instrument: Transfer-on-Death Deed
- Purchase Price/Consideration: If you are making this deed as a gift (no money is being exchanged), indicate $0.
    - Note: If you are being paid or otherwise compensated for making the deed, the amount of the compensation should be listed. You may also need to pay any taxes due to your county Finance Office before going to Land Records. If this situation applies to you, contact a lawyer or your local Finance Office for more information.
- Property Tax ID Number: *See instructions in section above*

- Grantor name(s): Name of the owner(s) making the deed
- Grantee name(s): Name of the beneficiaries on the deed
- New owner's mailing address: Because the current owner remains the owner for now, place the owner's address here, not the beneficiary's address
- Principal residence: If a current owner of the property lives in the property as their primary residence, be sure to check Yes to maintain the property's classification as owner-occupied.

Can the clerks at the Land Records office help me with my deed?

Clerks are employees in the Land Records office who accept and process deeds for recording. They can help answer questions about how to record your deed, but clerks are not authorized to give legal advice, so they cannot help you write your deed. If you need legal information or advice, see the Legal Resources on page 30.

Clerks Can	Clerks Cannot
✓ Help you access the Land Records to get a copy of your current deed	X Give you legal advice
✓ Confirm the cost to record a deed	X Provide you a form for a deed
✓ Confirm acceptable forms of payment	X Tell you what should be on your deed
✓ Provide you with the Intake Sheet	X Review your deed for accuracy or completeness

After Recording the Deed:

- **Keep the Recorded Copy**: When the deed is recorded, the first page will be stamped with a Book and Page number, indicating where it is located within the public Land Records. This information will be important if you want to later revoke the deed, or for your beneficiary to have if/when they inherit the property. Therefore, safely store this copy of the deed among your important documents. You may also want to give your named beneficiary a copy.

- **Avoid Scams**: After you record a deed, it is common to receive mail from individuals or companies who try to scam you by offering to provide you with a copy of your deed or a "property profile" for a fee. **You do not need to pay this fee**! Review the instructions on page 7 for how to access your deed for free.

  Note: If you receive a letter like this when you have not changed your deed, it could be a sign of deed fraud. However, to avoid being scammed, do not respond to the letter. Rather, you should follow the steps outlined on page 7 to search the public records to see if a new deed was recorded for your property.

The Transfer-on-Death Deed Form begins on the next page. Remember to print it single-sided.

No Lien Sheet Required
No Consideration
No Transfer or Recordation Taxes

Return to Address:

_____
Owner Name

_____
Address

_____
City State Zip

Transfer-on-Death Deed Form

Notice to Owner: You should carefully read all information on this form and the Instructions to Complete a Transfer-on-Death Deed. You may want to consult a lawyer before using this form.

This form is for current property owners. If not all current owners are signing this form, your name has changed since you acquired the property, or you wish to name multiple people to own the property in the future, consultation with a lawyer is **strongly** advised. Use of this form for more complex situations than provided for in the form may have unintended consequences.

This form must be notarized and recorded in each county (or Baltimore City) in which the property is located before your death, or it will not be effective. The notary public cannot be a relative of any beneficiary or owner. Please attach and record additional pages if the requested information does not fit on this form.

Identifying Information

Owner(s) Making This Deed:

_____	_____
Printed Name	Mailing Address
_____	_____
Printed Name	Mailing Address

Property Address: _____

Legal Description of the Property: *The legal description is not the same as the property address. If it does not fit in this space, attach an extra page. See instructions for more info.*

Recording Reference for Current Deed (Recommended): *Provide this information for the existing deed to show the Owner(s) named above are current owner(s) of the property.*

Book/Liber #: _____

Page/Folio #: _____

Date of Deed: _____

County (or Baltimore City) where Deed is recorded: _____

Beneficiaries

Note: If this form names multiple primary beneficiaries or alternate beneficiaries and does not indicate a different form of ownership, the property will be transferred to them as joint tenants with rights of survivorship.

Primary Beneficiary or Beneficiaries

I designate the following beneficiary or beneficiaries, if the beneficiary or beneficiaries survive me.

_____	_____
Printed Name	Mailing Address
_____	_____
Printed Name (If applicable)	Mailing Address

Alternate Beneficiary — Optional

If my primary beneficiary or beneficiaries do not survive me, I designate the following alternate beneficiary if that beneficiary survives me.

_____	_____
Printed Name	Mailing Address

Transfer on Death

At my death, I transfer my interest in the described property to the beneficiaries as designated above.

Before my death, I have the full right to revoke this deed.

Signature of Owner or Owners Making This Deed

_____ _____

Signature Date

_____

Printed Name

_____ _____

Signature Date

_____

Printed Name

Preparer's Statement

I hereby certify that I prepared this revocable Transfer-on-Death Deed, and I am an Owner, Primary Beneficiary, or Alternate Beneficiary named in the deed.

_____ _____

Signature Printed Name

OR

I hereby certify that I prepared this revocable Transfer-on-Death Deed, and I am an attorney duly admitted to practice law before the Supreme Court of Maryland.

_____ _____

Signature Printed Name

Certification of Occupancy Status

Select the option below that correctly describes the property's occupancy status:

Note: "Principal residence" refers to the place where a person lives for more than half of the time. A person can only have one principal residence. A "secondary residence" is a property a person occasionally occupies in addition to their principal residence.

Option 1: Principal Residence

___ At least one owner lives at this property as their **principal residence**.

OR

Option 2: Secondary Residence

___ No owner lives at this property as their principal residence, but an owner occupies the property as their **secondary residence**.

OR

Option 3: Not Owner-Occupied

___ No owner occupies the property as a primary or secondary residence.

Acknowledgment

State of _____ County of _____

This record was acknowledged before me on the ___ day of _____, 20___, by _____.

_____

Signature of Notarial Officer

My Commission Expires: _____

Common Questions About the Transfer-on-Death Deed

This is an informational sheet, and it should not be recorded with a Transfer-on-Death Deed at the Land Records office in the Office of the Clerk of the Circuit Court.

Q: How do I find the "Legal Description" of the property?

A: See the instructions on page 7.

Q: Can I use this deed if my deceased co-owner's name is still on my current deed?

A: If a deceased person's name is on your deed, you should contact a lawyer for assistance with properly updating your deed. A lawyer can help by interpreting your deed to know what steps are necessary to remove the deceased individual's name from the deed, and help draft a new deed that transfers their interest. The Transfer-on-Death Deed Form is not designed for this purpose. It is only designed for living owners to name a beneficiary for their interest in the property.

Q: Should I use this deed to add my spouse to my deed?

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A: Which type of deed is right for you depends on your individual circumstances, but for many married couples, the Transfer-on-Death Deed is not the best tool for adding the spouse. You should talk to a lawyer about your goals and explore whether adding your spouse as a co-owner is a good option for you.

Q: Can I use this deed to pass my portion of the property to someone other than my current co-owner?

A: It depends on the type of co-ownership you have with your co-owner. See a lawyer if you do not know what type of co-ownership you have. If you own the property as "tenants by the entireties" with your spouse, or as "joint tenants" (with rights of survivorship), this deed will not change the fact that your portion of the property will pass to your co-owner automatically if you pass away first. When a co-owner has a right of survivorship, this deed will only be effective if you are the last living co-owner.

However, if you own the property with someone else as "tenants in common," your portion would not pass automatically to a co-owner when you pass away, and you can use this deed to name who you want to inherit your share. You could name a current co-owner of the property or someone else.

Q: What happens if I select multiple beneficiaries?

A: If you name multiple primary beneficiaries, they will own the property together as co-owners when you pass away. If you do not indicate a different form of ownership, the property will be transferred to them as joint tenants with rights of survivorship. If you are not sure whether this is the appropriate ownership structure for your beneficiaries, contact a lawyer.



If you name an alternate beneficiary, the alternate beneficiary will only be an owner if the primary beneficiary or beneficiaries die(s) before you.

Q: Can I change my mind before I record the Transfer-on-Death Deed?

A: Yes. If you have not yet recorded the deed and want to change your mind, simply tear up or otherwise destroy the deed.

Q: What if I change my mind after I record the Transfer-on-Death Deed? Can I change the beneficiaries?

A: If you record a Transfer-on-Death Deed and later decide you want to leave your property to someone else, you can complete and record a new Transfer-on-Death Deed. As long as it is recorded while you are alive, the new deed will replace the prior deed.

Q: Which controls at my death, my Will or the Transfer-on-Death Deed?

A: If you have a Transfer-on-Death Deed and a Will that name different people to inherit your real estate when you pass away, the Transfer-on-Death Deed is what controls, and whoever is named in it will inherit the property, regardless of which document was signed last. For this reason, if you change your mind about who you want to leave your property to after making a Transfer-on-Death Deed, you need to either revoke it or make and record a new deed to reflect your wishes, and record it before you die.

Q: What if I already have a Life Estate Deed? Do I need a Transfer-on-Death Deed?

A: It depends. Please contact a lawyer for an individualized assessment of whether your current deed best meets your needs. Generally, if your wishes have changed, and you prefer to leave your property to someone other than the person named as the "remainderman" in your Life Estate Deed, you should explore changing your deed. However, if your goals remain the same, whether you should change your deed depends on how your current deed is written and your individual circumstances.

Q: Does a Transfer-on-Death Deed help avoid inheritance taxes?

A: No, your beneficiary may need to pay inheritance taxes as a result of the Transfer-on-Death Deed. Many family members are exempt from this tax, but if you have questions related to inheritance taxes, consult a lawyer or tax professional.

Q: Can my Attorney in Fact or Agent that I have appointed in my Financial Power of Attorney make a Transfer-on-Death Deed on my behalf?

A: Maybe. Financial Power of Attorney (POA) documents are not all the same, and many do not provide the Agent with the authority to make beneficiary designations on behalf of the person who signed the POA. You should read the POA carefully to know if you have given such authority to your Attorney in Fact or Agent, and seek the advice of a lawyer if you are unsure. If you have given your Attorney in Fact or Agent authority to act under the POA, and they make a deed in that capacity, they will need to record a copy of the POA with the county Land Records office when they record the Deed.

Q: How do I revoke the Transfer-on-Death Deed after it is recorded?

A: There are three ways to revoke, or cancel, a recorded Transfer-on-Death Deed:

(1) Complete and acknowledge before a notary public a Revocation Form, and record it in each county where the property is located before you die. See page 20 for more information.

(2) Complete and acknowledge before a notary public a new Transfer-on-Death Deed that transfers the same property and record it in each county where the property is located before you die.

(3) Transfer the property to someone else during your lifetime by a recorded deed that expressly revokes the Transfer-on-Death Deed and record it before you die.

You may not revoke the Transfer-on-Death Deed in a Will.

Q: I am being pressured to complete this form. What should I do?

A: Do not complete the Transfer-on-Death Deed Form under pressure. Seek help from a trusted family member, friend, or lawyer.

Q: Do I need to tell the beneficiaries about the Transfer-on-Death Deed?

A: No, but it is strongly recommended. Non-disclosure can cause complications later and might make it easier for others to commit fraud. The State does not notify a

beneficiary that they have become the new owner following your death. If they do not know that they own it, this could defeat your goal of transferring the property to them.

Q: Could a Transfer-on-Death Deed I record today be affected if I divorce later or get married and have children?

A: Yes. If you create a Transfer-on-Death Deed that names your spouse as the beneficiary while you are married and you later divorce or your marriage is annulled, the Transfer-on-Death Deed will become legally invalid. Additionally, if you record a Transfer-on-Death Deed and later marry and have children with your future spouse by birth, adoption, or legitimation, your Transfer-on-Death Deed will be legally invalid.

Q: As a beneficiary, what do I do once the owner has died?

A: You will automatically receive the property when the owner dies, unless you follow Maryland's procedure to disclaim your interest. However, the deceased owner's name and mailing address will remain on the state's property records until you notify the state that they passed away. Failure to do so may result in the property tax bill not reaching you, and this could lead to additional penalties being added to the bill or loss of the property due to a tax sale. You can execute and record a Transfer-on-Death Deed Notification of Death Form to show that you are now the rightful owner of the property. See page 24 for more information.

Q: The deed to my home is still in the name of a deceased family member. Can I use this deed to transfer the home into my name (or another person's)?

A: No. The Transfer-on-Death Deed is only valid if it is both (1) signed by the property owner and (2) recorded with the local Land Records office while the owner is alive. Do not use a Transfer-on-Death Deed to try to transfer property after the owner has died. Instead, contact a lawyer or your local Register of Wills office for information about how to initiate the probate process.

Q: I have other questions about this form. What should I do?

A: The Transfer-on-Death Deed Form is designed to fit some but not all situations. If you have other questions, you are encouraged to consult a lawyer. Please see the Legal Resources on page 30 for help identifying a lawyer.

Revocation Form Overview

A Revocation of a Transfer-on-Death Deed Form allows you to revoke, or cancel, a Transfer-on-Death Deed. Completing and filing this form with the Land Records office before you die will make invalid any Transfer-on-Death Deed you previously recorded for the property named in the Revocation Form. Only the owner(s) who made the Deed can revoke it.

When to Use the Revocation Form:

If you change your mind and decide you do not want the primary or alternate beneficiaries listed in your Transfer-on-Death Deed to own the property upon your death, use this Revocation Form to cancel the Transfer-on-Death Deed.

See the Common Questions About the Transfer-on-Death Deed section at pages 18-19 for information on cancelling a recorded Transfer-on-Death Deed by filing a new deed, or what happens after a divorce.

Note: After a Transfer-on-Death Deed has been recorded, tearing up or destroying (i) the original deed or (ii) your copy or the beneficiary's copy of the Transfer-on-Death Deed will not cancel the deed.

Limitations of the Revocation Form:

Only effective if recorded: To be effective, this form must be recorded in the Land Records office where the property is located before your death.

Joint ownership: If the Transfer-on-Death Deed you want to revoke was made with a co-owner who is a spouse or joint tenant (with rights of survivorship), and they are still living, they must join in this revocation for it to be effective. If you want to revoke a deed without the joint owner's participation, please contact a lawyer.

Instructions to Complete a Revocation of a Transfer-on-Death Deed Form

To revoke or cancel a Transfer-on-Death Deed, complete this Revocation Form, sign it in front of a notary public, and record the form in the Land Records office of each county where the property is located. *The form must be acknowledged and recorded before your death, or it has no effect.*

1. **Confirm the Form is properly formatted**. The Revocation Form must be formatted properly to be accepted by the Land Records office. Documents must

be printed single-sided on white paper, not double-sided. Font size must be size 8 or larger.

2. **Confirm you may sign the Form**. Typically, the only person legally permitted to revoke a Transfer-on-Death Deed is the owner who created it. If you are an Agent acting under a Power of Attorney, you may only revoke the deed under narrow circumstances and should consult with a lawyer before completing the Revocation Form.

3. **Print the name(s) of the current property owners who are participating in revoking a previously recorded Transfer-on-Death Deed**.

4. **Provide the Address and Legal Description for the property**. The address and legal description are not the same. The legal description should be on the Transfer-on-Death Deed. If the description does not fit in the space provided, write "See Attachment" in the space, and then attach an extra page with the legal description to the end of your deed. If needed, see page 7 for more information.

5. **Sign the Revocation Form in front of a notary public**. If needed, see page 9 for more information on signing documents in front of a notary public.

6. **Record the Revocation Form with the Land Records office in the county or counties where the property is located before you die**. If needed, see page 9 for more information on recording documents.

Caution: Do not complete this form under pressure. If someone is pressuring you to file the Revocation Form, seek help from a trusted family member, friend, or lawyer.

The Revocation of a Transfer-on-Death Deed Form begins on the next page. Remember to print it single-sided.

[Intentionally blank]

Return to Address:

_____
Owner Name

_____
Address

_____
City State Zip

Revocation of a Transfer-on-Death Deed

Notice to Owner: This revocation must be recorded in each county (or Baltimore City) in which the property is located before you die or it will not be effective. This revocation is effective only as to the interests in the property of the owner who signs this revocation.

Identifying Information

Owner or Owners of Property Making This Revocation:

_____ _____
Printed Name Mailing Address

_____ _____
Printed Name Mailing Address

Property Address: _____

Legal Description of the Property: *The legal description is <u>not</u> the same as the property address. If it does not fit in this space, attach an extra page. See instructions for more info.*

Revocation

I revoke all my previous transfers of this property by Transfer-on-Death Deed.

Signature of Owner or Owners Making This Revocation

_____ _____

Signature Date

_____

Printed Name

_____ _____

Signature Date

_____

Printed Name

Acknowledgment

State of _____ County of _____

This record was acknowledged before me on the ___ day of _____, 20___, by

_____.

_____

Signature of Notarial Officer

My Commission Expires: _____

Notification of Death Form Overview

What is a Transfer-on-Death Deed Notification of Death Form?

A Transfer-on-Death Deed Notification of Death Form allows a beneficiary to officially notify others of their property ownership following the death of an owner who recorded a Transfer-on-Death Deed. When you complete and file this form with the Land Records office, the State Department of Assessment and Taxation (SDAT) will update the public property records to reflect the named beneficiaries as the property owners.

The Notification of Death Form is optional. It is not required to complete the transfer of title because beneficiaries named in a properly made Transfer-on-Death Deed automatically own the property when the original owner(s) pass away. For this reason, use of this form does not create any new legal rights or change the ownership status of the property. Instead, it provides a method for the new owner(s) to update the public records to reflect they are now the owner(s) of the property and make sure that governmental notifications concerning the property reach them.

When and Why Beneficiaries Should Use the Notification of Death Form:

The Notification of Death Form should be used after the owner(s) who made a Transfer-on-Death Deed pass away.

Use of this form is not required. However, until the state is notified that the owner who made the Transfer-on-Death Deed has died, their name will continue to show as the property owner on all public records. This can complicate a beneficiary's ability to take advantage of the rights and benefits that accompany property ownership, including access to tax credits, home repair loans, etc. Additionally, if the beneficiaries do not live in the property, they may not receive important notices, such as the property tax bill.

A beneficiary may also update the official property records by filing a new deed instead of using this form. Contact a lawyer if you want to explore this option.

Instructions to Complete a Notification of Death Form

To update the property records following the death of a property owner who made a Transfer-on-Death Deed, complete this Notification of Death Form, sign it in front of a notary public, and record the form in the Land Records of each county where the property is located.

1. **Confirm the Form is properly formatted**. The form must be formatted properly to be accepted by the Land Records office. Documents must be printed single-sided on white paper, not double-sided. Font size must be size 8 or larger.

2. **Name the Deceased Owner**. If the property has multiple owners, only list the name of the owner whose death you are reporting.

3. **List the Property Address and SDAT Tax Identification Number**. This information is provided on your property tax bill, or you can find it online through the SDAT Real Property Data Lookup.

   The Tax Identification Number is sometimes listed as an *Account Number* or *Property Identifier*. In most counties, it is one long number, but in Baltimore City, it is a combination of Ward, Section, Block, and Lot numbers.

4. **Provide the Recording Reference of the Transfer-on-Death Deed.** In other words, you should indicate where within the Land Records the relevant Transfer-on-Death Deed is located. Providing this information directs the public official reviewing your Notification of Death Form to the Transfer-on-Death Deed made by the owner whose death you are reporting.

   You can find this information on the recorded copy of the deed. The Book (or Liber) and Page (or Folio) numbers should be stamped on the first page of the deed.

   If you do not have a copy of the recorded deed, you can search for it on the Maryland Land Records website (https://landrec.msa.maryland.gov) or at the Land Records office in the county where the property is located.

   See the Appendix on page 34 for examples of how to locate the Recording Reference in your deed.

5. **Provide Information About the Owner's Death**. You can find the Death Certificate File or Registration Number on the death certificate of the property owner, as provided by the Department of Vital Records in the state where the owner passed away. In Maryland, the numbers are located in the top right and bottom left corners of the death certificate. If you are unsure how to locate this number, call the Vital Records office of the state where the individual died.

6. **Provide Beneficiary Information**. List all beneficiaries named in the Transfer-on-Death Deed. If any beneficiaries have passed away, provide the requested information from their death certificates as well.

   If you do not have access to the information on a deceased beneficiary's death certificate, provide the most complete information you can related to their date and place of death.

7. **Sign the Notification Form in front of a notary public**. If needed, see page 9 for more information about signing a document in front of a notary public.

8. **Complete the Certification of Occupancy Status**. Whenever real estate changes ownership, the State Department of Assessment and Taxation classifies the property as either a Principal Residence (owner-occupied) or Not a Principal Residence (not owner-occupied).

   If any of the beneficiaries named in the Transfer-on-Death Deed live at the property as their Principal Residence, they should sign the affidavit indicating they live there because this status provides important protections for homeowners. Only one owner needs to sign the affidavit.

9. **Record the Notification of Death Form with the Land Records office in the county or counties where the property is located**. If needed, see page 9 for more information on recording documents.

The Transfer-on-Death Deed Notification of Death Form is designed to fit most, but not all, situations. If you have questions, you are encouraged to consult a lawyer. Please see Legal Resources on page 30 for help identifying a lawyer.

The Transfer-on-Death Deed Notification of Death Form begins on the next page. Remember to print it single-sided.

[Intentionally blank]

Return to Address:

_____
Beneficiary Name

_____
Address

_____
City State Zip

Transfer-on-Death Deed Notification of Death

The undersigned hereby affirms, under the penalties of perjury, that the following is true regarding a Transfer-on-Death Deed recorded on the property identified below:

Please complete this form for each owner whose death is being reported.

Name of Deceased Owner: _____

Complete Address of Property, as it appears in Records of Maryland State Department of Assessments and Taxation (SDAT) (**Required**):

_____

_____

SDAT Tax Identification Number: _____
Note: You can find the Tax ID number on your property tax bill or SDAT's website.

Recording Reference of the Transfer-on-Death Deed:

Book/Liber #: _____

Page/Folio #: _____

Date of Deed: _____

County (or Baltimore City) where Deed is recorded: _____

Transfer-on-Death Deed Owner Information

Date of Owner's death: _____

State where Death Certificate was issued: _____

Death Certificate File or Registration Number: _____

Transfer-on-Death Deed Beneficiary Information

Name of Beneficiary or Beneficiaries identified on Transfer-on-Death Deed:

_____

_____

Mailing Address of Beneficiary who will be responsible for property taxes:

_____

_____

Relationship(s) of Beneficiary or Beneficiaries to Owner:

_____

_____

If any beneficiary died before the last living owner who made the Transfer-on-Death Deed, their interest in the property has lapsed. Provide their (1) name, (2) date of death, (3) death certificate state, and (4) file/registration number here.

_____

_____

If a beneficiary died after the owner's death, provide: (1) their name, (2) the date of death, (3) death certificate state, and (4) file/registration number here.

_____

_____

Signature of Person Making this Notification

Printed Name: _____

Signature: _____

Date: _____

Acknowledgment

State of _____ County of _____

This record was acknowledged before me on the ___ day of _____, 20___, by

_____.

_____

Signature of Notarial Officer

My Commission Expires: _____

Certification of Occupancy Status

Select the option below that correctly describes the property's occupancy status:

Note: "Principal residence" refers to the place where a person lives for more than half of the time. A person can only have one principal residence.

Option 1:

____ None of the beneficiaries inheriting the property live at this property as their principal residence.

OR

Option 2:

____ At least one of the beneficiaries inheriting the property lives at this property as their principal residence.

> **IF you selected Option Two and you are the beneficiary occupying the property, please complete the following**:
>
> I, _____ (print name), do hereby certify and affirm under the penalties of perjury that I currently live at and will continue to live at the property named above. I shall occupy the property as my principal residence for at least 7 of the next 12 months.
>
> _____
>
> **Signature**

How to Locate a Lawyer

The lists below include legal resources that may be helpful should you have any questions while completing a Transfer-on-Death Deed or related forms, and would like to consult with a lawyer:

Free Legal Services for Deed Changes & Estate Planning

The following organizations offer free legal services to qualifying residents for estate planning and/or deed changes. Eligibility criteria vary by organization.

Allegany Law Foundation (Allegany County) – Seniors ages 60+

Phone: 301-722-3390

Maryland Volunteer Lawyers Service (Statewide, but residents in Allegany County and the Eastern Shore should start with the local provider listed here)

Phone: 410-547-6537
Intake: Monday-Thursday, 9am-12pm

Pro Bono Resource Center (Baltimore City, Baltimore County)

Phone: 410-837-9379

Senior Legal Services (Baltimore City) – Seniors ages 60+

Phone: 410-396-1322
Intake: Monday-Thursday, 9am-12pm

Shore Legal Access (Caroline, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, Worcester)

Phone: 410-690-8128

St. Ambrose Housing Aid Center (statewide)

Phone: 410-366-8550

Lawyer Referral Services

Reduced Fee Referral Service

Civil Justice, Inc. (statewide)

Phone: 443-853-1011
Intake: Tues & Thurs 10am-3pm

Local Bar Association Referral Services

One method for finding a local lawyer who practices law in a certain area is to contact the bar association in your area:

Allegany County: (301) 525-9995
Anne Arundel County: (410) 280-6961
Baltimore City: (410) 539-3112
Baltimore County: (410) 337-9100
Calvert County: (410) 535-1900
Caroline County: (410) 479-2570
Carroll County: (410) 337-9100
Cecil County: (410) 620-2030
Charles County: (301) 609-9350
Dorchester County: (410) 690-8128
Frederick County: (240) 285-9660
Garrett County: (301) 525-9995
Harford County: (410) 833-0123
Howard County: (443) 574-5018
Kent County: (410) 690-8128
Montgomery County: (301) 279-9100
Prince George's County: (301) 952-1440
Queen Anne's County: (410) 690-8128
St. Mary's County: (301) 609-9350
Somerset County: (410) 651-4960
Talbot County: (410) 820-0600
Washington County: (301) 797-4176
Wicomico County: (410) 749-6118
Worcester County: (410) 641-2999

Additional Legal Resources

Read the Law: See HB 738 from the 2026 Maryland legislative session for the full law enacting Transfer-on-Death Deeds. The core provisions are located within Section 14-1001 of the Real Property Article of the Maryland Code, available for free at https://govt.westlaw.com/

People's Law Library of Maryland: https://www.peoples-law.org/

The People's Law Library (PLL) is a legal information and self-help website maintained by the Thurgood Marshall State Law Library, a court-related agency of the Maryland Judiciary, and supported by Maryland's legal community. The PLL provides reliable legal information on a wide range of topics, including deeds.

Maryland Courts: Personal & Life Planning Resources
https://www.mdcourts.gov/legalhelp/lifeplanning

This section of the Maryland Courts website provides community members with reliable information, forms, and videos related to a variety of topics, including advance planning.

Maryland Free Legal Answers: https://maryland.freelegalanswers.org/

A free service in which residents who income-qualify may post a specific legal question for volunteer lawyers to review and potentially answer.

Other Advance Planning Forms and Resources

Visit People's Law Library

In addition to a Transfer-on-Death Deed, there are several other ways that you can plan for your future. Below are some examples.

Advance Medical Directive: An Advance Medical Directive allows you to identify who can make medical decisions on your behalf if you are unable. You can also document your care preferences to guide your loved ones or physicians. You can access the Form Advance Medical Directive by clicking here, or by using the following url in your browser: https://health.maryland.gov/phpa/ccdb/ADP/Documents/advance%20directive%20form%20-%20fillable%20pdf%2052025.pdf

Financial Power of Attorney: A Financial Power of Attorney names a person who can manage your finances if you become unable to do it yourself. It is important to name someone you completely trust because the document is very powerful and could be abused. However, without a Power of Attorney in place, the alternative is for your loved ones to have to go through Guardianship proceedings in court should you lose the capacity to manage your own finances in the future. You can access a Form Financial Power of Attorney by clicking here, or by entering the following url into your browser: https://mgaleg.maryland.gov/2026RS/Statute_Web/get/17-202.pdf

Will: A Will specifies who will receive your property after your death and designates a person to ensure that your wishes are carried out properly. Having a Will can prevent *intestacy*, which means that State law determines who receives your property. You should consult a lawyer when drafting a Will. For more information on Wills you can visit the People's Library here, or by entering the following url into your browser: https://www.peoples-law.org/frequently-asked-questions-about-wills#execute

Standby Guardianship: Standby Guardianship allows the parent(s) of a minor child(ren) to designate a person to assume guardianship of their child(ren) if they become incapacitated or experience immigration detention or removal. You can learn more about, and access the various forms for, Standby Guardianship by clicking here, or by entering the following url into your browser: https://www.courts.state.md.us/legalhelp/family/guardianship/standbyguardianship

Beneficiary, Transfer-on-Death, and Payable-on-Death Designations: Each of these designations allow you to pass various pieces of your property to a recipient outside of the probate process. You can learn more about these designations by clicking here, or by entering the following url into your browser: https://www.peoples-law.org/property-ownership-and-titling-estate-planning#beneficiary-designation

Vehicle Beneficiary: Through the Motor Vehicle Administration, you can name a beneficiary on your vehicle title, allowing for ownership to pass automatically to your beneficiary when you die. Find instructions for how to file a Vehicle Beneficiary here, or by entering the following url into your browser: https://mva.maryland.gov/media/170

Definitions

Some of these terms have multiple meanings and may be used differently in other contexts. These definitions reflect the meanings of the terms as used in this Guide.

Acknowledge: To officially state, in front of a notary public or another authorized official, that you signed a document and that the signature is yours.

Beneficiary: Someone designated to receive property from a person who has died.

Deed: The written document that transfers title (or ownership) of a property from one person to another person.

Execute: To make a legal document valid by signing it.

Legal Advice: When a lawyer uses their professional skill and training to apply the law to a specific person's unique facts or situation to recommend a specific course of action.

Legal Description of Property: A formal, precise written statement that defines the exact geographic boundaries and location of a piece of land. This description uniquely identifies a property, and it is not the same as the property address.

Life Estate Deed: A legal document used to establish a life estate. A life estate is a type of co-ownership for real property in which two or more people have ownership rights that are split across time. One party, the “life tenant,” retains the current right to possess and use the property for the duration of their life. The second party, the “remainderman,” has no current right to possess or use the property, but they will automatically be the property owner once the life tenant dies. A Life Estate Deed is similar to, but not exactly the same as, a Transfer-on-Death Deed.

Notary Public: A person authorized by a state to administer oaths, authenticate signatures, certify documents, and perform other official acts.

Principal Residence: The place where a person lives for more than half of the time. A person can only have one principal residence.

Probate Process: The legal process one must follow to move property from the name of a deceased person to the individual(s) entitled to receive it. If the deceased person made a Will, the Will must be presented and approved as satisfactory. In Maryland, this process is administered by the local Register of Wills offices.

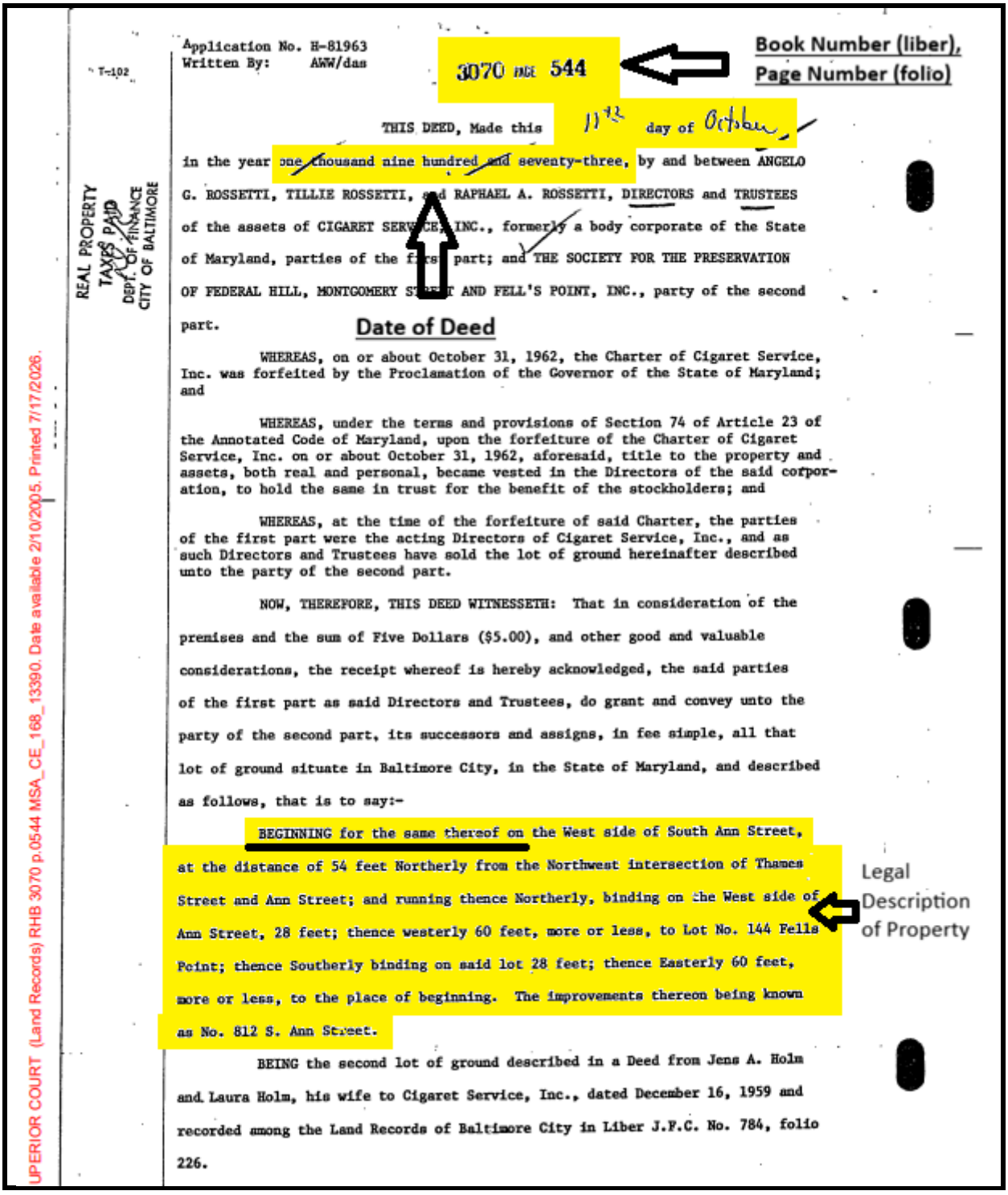
Record(ed): To deposit a document with an authority—in this case, the Land Records Office within the local Circuit Court. A document is recorded as of the date it is approved by the office, not the date when it is first submitted.

Revocable: Capable of being cancelled or reversed.

Revocation/Revoke: The cancellation, reversal, or annulment of a prior act.

Appendix: Identifying Key Information on Sample Deeds

This section shows portions of two deeds, highlighting where key information is often located. The Book and Page numbers, date, and legal description on your deed may be placed differently.



Application No. H-81963
Written By: AWW/das

3070 PAGE 544

Book Number (liber), Page Number (folio)

T-102

REAL PROPERTY TAXES PAID
DEPT. OF FINANCE
CITY OF BALTIMORE

THIS DEED, Made this 11th day of October, in the year one thousand nine hundred and seventy-three, by and between ANGELO G. ROSSETTI, TILLIE ROSSETTI, and RAPHAEL A. ROSSETTI, DIRECTORS and TRUSTEES of the assets of CIGARET SERVICE, INC., formerly a body corporate of the State of Maryland, parties of the first part; and THE SOCIETY FOR THE PRESERVATION OF FEDERAL HILL, MONTGOMERY STREET AND FELL'S POINT, INC., party of the second part.

Date of Deed

WHEREAS, on or about October 31, 1962, the Charter of Cigaret Service, Inc. was forfeited by the Proclamation of the Governor of the State of Maryland; and

WHEREAS, under the terms and provisions of Section 74 of Article 23 of the Annotated Code of Maryland, upon the forfeiture of the Charter of Cigaret Service, Inc. on or about October 31, 1962, aforesaid, title to the property and assets, both real and personal, became vested in the Directors of the said corporation, to hold the same in trust for the benefit of the stockholders; and

WHEREAS, at the time of the forfeiture of said Charter, the parties of the first part were the acting Directors of Cigaret Service, Inc., and as such Directors and Trustees have sold the lot of ground hereinafter described unto the party of the second part.

NOW, THEREFORE, THIS DEED WITNESSETH: That in consideration of the premises and the sum of Five Dollars ($5.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said parties of the first part as said Directors and Trustees, do grant and convey unto the party of the second part, its successors and assigns, in fee simple, all that lot of ground situate in Baltimore City, in the State of Maryland, and described as follows, that is to say:-

BEGINNING for the same thereof on the West side of South Ann Street, at the distance of 54 feet Northerly from the Northwest intersection of Thames Street and Ann Street; and running thence Northerly, binding on the West side of Ann Street, 28 feet; thence westerly 60 feet, more or less, to Lot No. 144 Fells Point; thence Southerly binding on said lot 28 feet; thence Easterly 60 feet, more or less, to the place of beginning. The improvements thereon being known as No. 812 S. Ann Street.

Legal Description of Property

BEING the second lot of ground described in a Deed from Jens A. Holm and Laura Holm, his wife to Cigaret Service, Inc., dated December 16, 1959 and recorded among the Land Records of Baltimore City in Liber J.F.C. No. 784, folio 226.

UPERIOR COURT (Land Records) RHB 3070 p.0544 MSA_CE_168_13390. Date available 2/10/2005. Printed 7/17/2026.

Deed With the Legal Description of Property as an Attachment

Image from first page of deed:

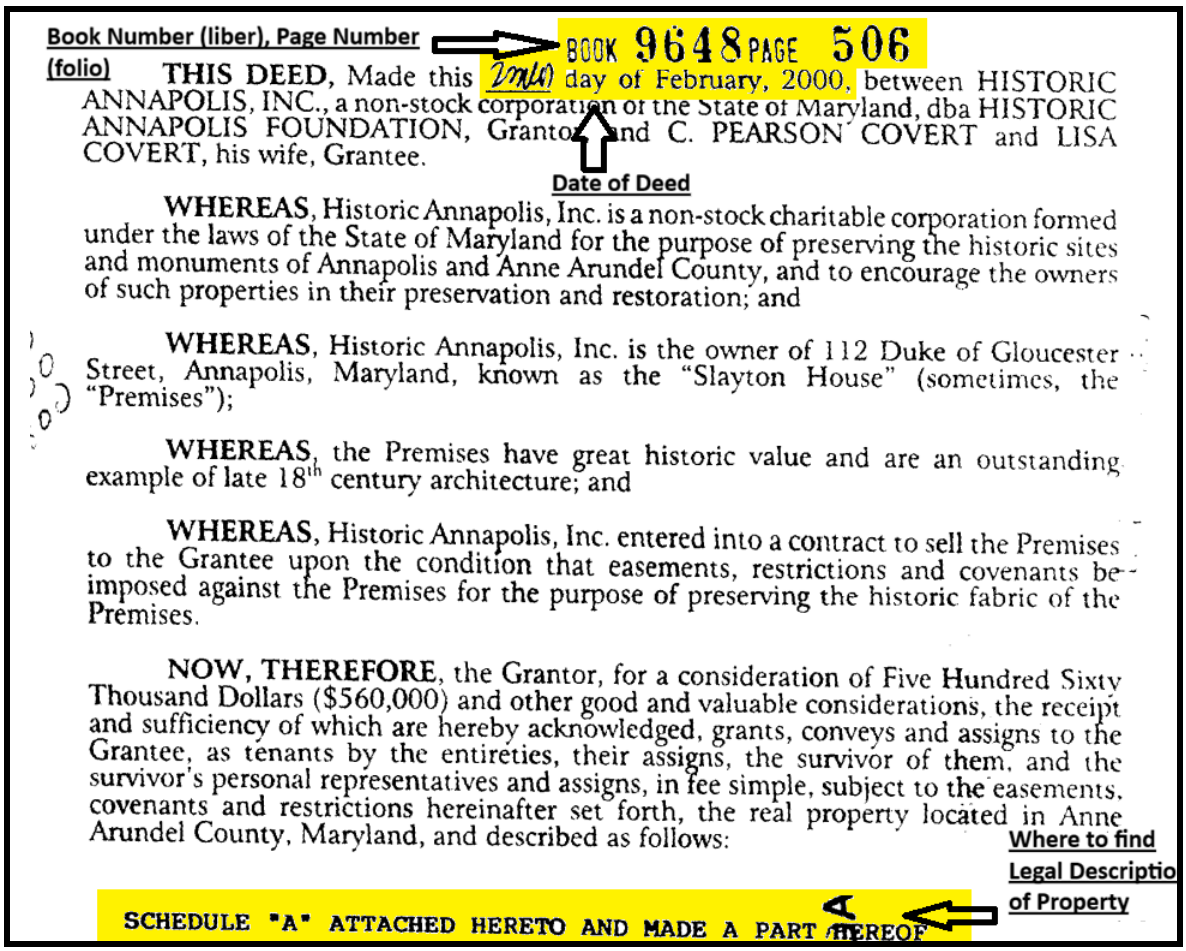


Image from several pages later in the deed:

