

February 18, 2022

The Honorable Kumar P. Barve  
Chair, House Environment and Transportation Committee  
House Office Building, Room 251  
Annapolis, MD 21401

The Honorable Luke Clippinger  
Chair, House Judiciary Committee  
House Office Building, Room 101  
Annapolis, MD 21401

RE: HB 0777 – Support

Dear Chair Barve, Chair Clippinger, and Committee Members:

Thank you for holding this public hearing on the Maryland Uniform Partition of Heirs Property Act (“UPHPA”), and permitting me the opportunity to express personal support and to be a voice for the citizens of Charles County, Maryland.

I am a minister at Mount Hope Missionary Baptist Church located in Nanjemoy (Western Charles County), Maryland. Charles County in recent years has experienced developmental and economic growth in its commercial districts. However, for the most part the western district remains rural and undeveloped. This is where mostly farms are located, and where large parcels of land have been inherited through many generations. In addition, this section has been documented as having the lowest income in the county.

Many of its residents are genealogical descendants of farmers and slaves. These descendants, unfortunately, are largely living in disadvantaged and disenfranchised conditions. Also, they are proportionally African Americans, who have built their homes on heirs’ property. Commonly, the original property owner has died without a will, and as you are fully aware, that property then becomes “heirs’ property,” but I call it “heirs’ problems.”

Since my church is located within the western district, our members often share in their testimonies horror stories pertaining to heirs’ property issues. For example, years ago descendants built several homes on their now deceased grandfather’s land, but the property is still in his name. Now, there is a constant debate over who pays the taxes.

Another situation: the property owner died without a will. He was married several times, and he had children and stepchildren. His last wife prepared a will, and in that will, she designated the property to her son. Most of the people did not know each other, and some were totally unaware of the will of the last wife. As you can see, “heirs’ property can be heirs’ problems” because many opinions were involved pertaining to the future of the property. Unfortunately, no agreement was reached, and the property was sold to a developer at a nominal price.

Finally, an elderly disabled woman is now facing the strong possibility of her heirs’ property’s being sold. Both parents died recently without a will, and she lives in the home. One of the

heirs wants the property sold. He plans to force the sale of the property by filing a partition action. Under the existing legal framework, any fractional owner of land owned by tenancy-in-common can force a partition sale of the entire property in order to realize his or her share of the sales proceeds of the property. Sadly, our church member cannot afford to purchase her home.

I could tell you many more depressing stories because losing property is devastating, and often it is those who are living in hardship conditions. Land is their only wealth! In most cases, it is their most valuable commodity.

Passage of this legislation is extremely necessary and vital for the sustainability of wealth, and survival for people who are losing their precious property every day. By enacting the UHPA, it would permit people like the ones I have just shared to have legal opportunities that are not afforded now to save and preserve their property.

Respectfully yours,

Rev. Ruby M. Brown-Thomas  
17010 Old Marshall Hall Road  
Accokeek, MD 20607

CC: Delegates Samuel I. Rosenberg and Dana Stein