



House Bill 845 – Real Property – Recordation of Instrument with False Information – Penalties and Actions to Quiet Title

Position: Unfavorable

Maryland REALTORS® oppose HB 845 as currently drafted.

The REALTORS® recognize that the recording of false deeds can create significant problems for property owners who are forced to defend their title to a property. In that sense, HB 845 can clarify Maryland law which already identifies as a misdemeanor the filing of fraudulent liens or encumbrances against a property (Criminal Law 3-808).

However, the Maryland REALTORS® recommends that the language in HB 845 -- “OR HAS REASON TO KNOW” -- be removed from the bill. Often, a title attorney may record a deed and have no knowledge of false information or a way to confirm the information contained in the deed. Having a clear “knowing” standard will capture willful and intentional conduct and is similar to the language already in CL 3-808.

That Maryland REALTORS® support efforts to fight against fraud in the filing of deeds but recommends changes to the current bill.

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