



HOWARD COUNTY DEPARTMENT OF FINANCE

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**PREFERRED LANGUAGE FOR DEEDS
AND DEEDS OF TRUST**

1. *A deed to change tenancy only* should include the wording: “This no consideration deed is to change tenancy only as the grantor and grantee are identical.”
2. *A deed to remove name of a deceased owner* should include the wording: “This no consideration deed is for the sole purpose of removing the name of a deceased owner from title.”
3. *A deed for transfers between spouses or former spouses* should include the wording: “This deed transfers an interest in real property between spouses or former spouses pursuant to MD. CODE ANN., TAX-PROP. § 12-108(d)(i).”
4. *A deed for transfers of residential real property between domestic partners or former domestic partners* should include the wording: “This deed transfers an interest in residential real property between domestic partners or former domestic partners and is exempt from state recordation tax pursuant to MD. CODE ANN., TAX-PROP. § 12-108(d)(ii).” Note: ‘Affidavit of Domestic Partnership’ is also required.
5. *A deed for transfers between relatives for no consideration on free and clear property* should include the wording: “This no consideration deed transfers an interest in real property between relatives (please state relationship). This property is free and clear of all liens, mortgages, encumbrances and deeds of trust. The grantor is not being relieved of any liability and the grantee is not assuming any liability.”
6. *Transfers between relatives when property is transferred to the transferor’s son, daughter, parent, son-in-law, daughter-in-law, parent-in-law, or grandchild (also the ‘step’ variety of all of the preceding)* should include the wording: “This deed transfers an interest in real property between relatives (please state relationship) subject to an existing mortgage or deed of trust for which the unpaid principal balance is being assumed and is exempt from state recordation tax pursuant to MD. CODE ANN., TAX-PROP. § 12-108(c).” There is no other consideration and there is no refinance transaction at or near the time of this transfer.”
7. *A deed for transfers into a revocable trust* should include the wording: “This no consideration deed transfers an interest in real property to the grantor’s revocable trust in which grantor is a primary beneficiary.”
8. *A deed for transfers out of a revocable trust* should include the wording: “This no consideration deed transfers an interest in real property under the terms of the revocable trust in which grantee is a primary beneficiary.”

9. *A deed of trust which qualifies for the refinance exemptions under MD. CODE ANN., TAX-PROP. § 12-108(g) should include the wording: “The grantor is the original mortgagor, the mortgaged property is the principal residence of the original mortgagor, and the amount of the unpaid principal balance of the original mortgage/deed of trust being refinanced is \$ -----.”*

Note: Unpaid principal balance does NOT include interest or other costs/fees.

Note: ‘Affidavit of Refinancing Exemption’ is also required.

10. *A deed of trust refinance by a revocable trust which qualifies for the refinance exemption under MD. CODE ANN., TAX-PROP. § 12-108(g) should include the wording: “This mortgage/deed of trust secures the refinancing of real property that is the principal residence of the settler of the trust, is given by the trustee of the trust, that the trustee or settler originally assumed or incurred the debt secured by the existing deed of trust, and the amount of the unpaid principal balance of the existing mortgage/deed of trust being refinanced is \$-----.”*

Note: Unpaid principal balance does NOT include interest or other costs/fees.

Note: ‘Affidavit of Refinancing Exemption’ is also required