



# Estate Administration for Personal Representatives Part 6: Claims

The video series, “Estate Administration for Personal Representatives,” and the accompanying tip sheets cover the role of the personal representative, filing requirements while the estate is open, tips on managing the estate, how to prepare an Account, claims against the estate, distributing estate assets, and closing the estate. This tip sheet covers handling claims against the estate.



## Claims Against the Estate

- Someone who believes the decedent owes them money may file a statement with the Register of Wills saying they believe they are owed money. This is called a **claim against the decedent’s estate**.
- A claim:
  - States how much money the person believes they are owed.
  - Provides documentation to support the claim.
- The person who filed the statement is called a **claimant**.
- Generally, claims must be filed within **6 months** of the decedent’s death. There are exceptions for creditors. **Creditors** are people or businesses the decedent owed money to.
  - For small estates, creditors must file a claim within **30 days** of receiving the notice of your appointment, or within 6 months of the person’s death, whichever comes first.
  - For regular estates, creditors must file within **2 months** of receiving the notice of your appointment, or within 6 months of the person’s death, whichever comes first.
  - For Medicaid claims, the Maryland Department of Health may file a claim up to **6 months** after the third and final publication of notice, not 6 months after the date of the decedent’s death.

## Handling a Claim

- All claims must be dealt with before you can close the estate. For each claim, you will either pay the claim or file a Notice of Disallowance.



- In a **Notice of Disallowance**, you will state how much of the claim you are willing to pay and how much you are not willing to pay.
  - Use form [RW 1129 to file a Notice of Disallowance](#). You can find the form on the Register of Wills website, [registers.maryland.gov](http://registers.maryland.gov).
  - Mail a copy of the notice to the claimant who made the claim.
- If the claimant disagrees with a notice of disallowance, they can file a petition with the Orphans' Court asking for a hearing.
  - The request for a petition must be filed within **60 days** after the date the notice of disallowance was mailed to them.
  - If the request for petition is filed on time, the court will hold a hearing.
  - Come to the hearing prepared to tell the court why the estate does not owe the money.
  - The court will decide at the hearing if the estate owes the money or not.
- If the claimant does not file a request for a petition, you do not have to pay the portion of the claim you disallowed.
- Remember, Maryland law lists expenses, including claims, in order of priority to be paid from the estate. For more information, including the list of priorities, see tip sheet 91 or watch Part 4 of this video series.