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COMPLETE

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Q1

Please provide some basic information

Witness Name:	Michael Stone
Organization (if any):	Center for Disability & Elder Law
City/Town:	Chicago
State:	IL
ZIP:	60606

Q2 County Board Meeting 6/24/2021 10a

Tell us which meeting you wish to be recorded as a witness. If you don't know the meeting or date, we can help at 312.603.6398 or cookcounty.board@cookcountyil.gov. You can also look up using the County Calendar or the Forest Preserve Calendar. Please fill out a separate form for each meeting at which you wish to speak.

Q3

Tell us the File ID number (example 17-0000) of the item on which you are registering your position. If you don't know the number, we can help at 312.603.6398 or cookcounty.board@cookcountyil.gov. You can also look it up using the County Calendar or the Forest Preserve Calendar

21-3868

Q4 REGISTER IN FAVOR of a specific item (You may add written comments below)

What do you want to do?

Q5

Written Statement? You can type or copy/paste any written statement you want included in the meeting record here. If this is not enough space, or you have other attachments for distribution, please email them to cookcounty.board@cookcountyil.gov

Dear Honorable Members of the Board of Commissioners of Cook County:

The Center for Disability & Elder Law ("CDEL") voices its support for item # 21-3868 which permanently reduces the fee for recording Transfer on Death Instruments.

For over 37 years, CDEL has been a provider of free legal services to low-income seniors and persons with disabilities, providing our services in the communities where our clients reside. Among the many legal services that CDEL provides are direct representation services related to homeownership matters (including property tax and heirship issues) and estate planning. For our cases closed in 2020, 56% of our clients identified as Persons of Color, 73% of our clients were Seniors, 36% of our clients identified as having a Disability and 25% of our clients were Seniors who identified as having a Disability. The vast majority of our clients live on very limited, fixed incomes, which can make addressing homeownership issues difficult.

The Transfer on Death Instrument, known as a TODI, is a fast, simple, inexpensive estate planning tool that allows homeowners to pass the family home to the next generation without entering the expensive and time consuming process of probate. Probate can be costly and few legal services providers assist with probate court cases. If heirs cannot access probate to get "on title," they cannot take property tax exemptions, refinance to avoid foreclosure, access the equity to maintain the property or make an estate plan of their own. By executing a TODI, homeowners reduce the risk of losing home equity to the costly probate process.

However, the TODI is only effective if it is recorded with the County Recorder before the owner's death. The \$98 recording fee presents a significant barrier to completion of the TODI for many homeowners in our communities. Permanently reducing the recording fee to \$48 makes this legal tool more accessible to cost-burdened homeowners, increasing the likelihood that property taxes will continue to be paid by beneficiaries of the property, the property will be maintained, and the property will not be lost to complicated heirship issues that can arise when someone passes away without a plan in place for their home. It also lessens the chance that the property will become vacant or abandoned, which positively impacts both families and their communities.

Lack of access to justice on homeownership legal issues disproportionately affects immigrant communities, persons with disabilities and communities of color. Increased access to this vital tool helps stabilize families and communities. Please support our communities and families by voting to support this change.

Please support item # 21-3868 to reduce the burden of recording a Transfer on Death Instrument for Cook County's most vulnerable population.

Center for Disability & Elder Law

Q6

Submitting written testimony only

Please Indicate if you are only submitting written testimony or if you wish to address the Committee live (virtually) at the meeting.

Q7

If requesting to address the Committee live (virtually), please provide an email address and phone number (This is required to receive and an invitation to the virtual meeting).

Email Address

mstone@cdelaw.org

Phone Number

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