

May 5, 2025

House Finance and/or
Christopher O'Brien
Finance Committee Clerk

RE: Bill H5755 Estate Tax Lien Discharge

Dear Members of the Finance Committee:

We are in favor of the above bill to help simplify the current cumbersome process to obtain a release of lien.

We have handled many RI-706 Estates over the years and have found in many cases there is no RI estate tax due, but a filing was required to obtain a discharge of the lien. The process can be cumbersome depending upon the inquiry from the RI Division of Taxation. There are required documents that need to be submitted, but these seem to continuously change which makes the process appear to be subjective. Any request for additional documentation can also cause a delay in the closing of a property. Without a lien release, some attorney's propose a hold back of a certain amount of sales proceeds which again vary depending on the attorney.

This bill is even more imperative when we look at the efficiency of what is done in Massachusetts. The only requirement involves the recording of an affidavit with the City or Town Clerk which automatically discharges the lien.

With the current housing situation, the state needs to be more efficient with obtaining a lien release so that the process is simpler and the turnaround time quicker.

Upon review of the above, if you have any questions or if you need us to discuss anything in more detail, we will gladly make ourselves available.

Thanking you in advance for reading our letter of support and for putting forth this Estate Tax Lien Bill.

Sincerely,

DiSanto, Priest + Co.