

ENDORSED UPON HIS LETTERS OF APPOINTMENT.

REVISOR'S NOTE: This section presently appears as Art. 93A, §215. The first two sentences of §13-215 have been deleted because they now appear in §15-102. The balance of §13-215, with changes in style and language, is retained.

13-216. BREACH OF FIDUCIARY DUTY - PURCHASERS.

(A) LIABILITY OF GUARDIAN.

IF THE EXERCISE OF A POWER IS IMPROPER, THE GUARDIAN IS LIABLE FOR BREACH OF HIS FIDUCIARY DUTY TO THE MINOR OR DISABLED PERSON OR TO INTERESTED PERSONS FOR RESULTING DAMAGE OR LOSS TO THE SAME EXTENT AS A TRUSTEE OF AN EXPRESS TRUST.

(E) RIGHTS OF PURCHASERS.

THE RIGHTS OF PURCHASERS AND OTHERS DEALING WITH A GUARDIAN SHALL BE DETERMINED AS PROVIDED IN §13-219 AND ARE NOT NECESSARILY AFFECTED BY THE FACT THAT THE GUARDIAN BREACHED HIS FIDUCIARY DUTY IN THE TRANSACTION.

REVISOR'S NOTE: This section presently appears as Art. 93A, §216. The section is divided into two subsections for organizational purposes. The only other changes are in style.

13-217. RECORDING.

(A) LETTERS.

LETTERS OF GUARDIANSHIP MAY BE RECORDED IN THE LAND RECORDS OF THE COUNTY OF RESIDENCE OF THE MINOR OR DISABLED PERSON AND OF ANY OTHER COUNTY WHERE THERE IS REAL ESTATE IN WHICH THE ESTATE HAS AN INTEREST[[, ]]. THE RECORDATION HAS THE SAME EFFECT AS NOTICE AS RECORDING A CONVEYANCE FROM THE MINOR OR DISABLED PERSON TO THE GUARDIAN.

(B) ORDERS OF COURT.

ORDERS OF THE COURT MODIFYING OR TERMINATING LETTERS OF GUARDIANSHIP OR AUTHORIZING MAKING A CONVEYANCE OR DOING ANY OTHER ACT WITH RESPECT TO INTERESTS IN REAL ESTATE CONSTITUTING PART OF THE ESTATE MAY BE RECORDED IN A SIMILAR MANNER AND WITH SIMILAR EFFECT.

REVISOR'S NOTE: This section presently appears as Art. 93A, §217. The section is divided into two subsections for organizational purposes.