

(3) SHALL ADMINISTER A TRUST OR ESTATE IN ACCORDANCE WITH THIS SUBTITLE IF THE TERMS OF THE TRUST OR THE WILL DO NOT CONTAIN A DIFFERENT PROVISION OR DO NOT GIVE THE FIDUCIARY A DISCRETIONARY POWER OF ADMINISTRATION; AND

(4) SHALL ADD A RECEIPT OR CHARGE A DISBURSEMENT TO PRINCIPAL TO THE EXTENT THAT THE TERMS OF THE TRUST AND THIS SUBTITLE DO NOT PROVIDE A RULE FOR ALLOCATING THE RECEIPT OR DISBURSEMENT TO OR BETWEEN PRINCIPAL AND INCOME.

(B) IN EXERCISING A DISCRETIONARY POWER OF ADMINISTRATION REGARDING A MATTER WITHIN THE SCOPE OF THIS SUBTITLE, WHETHER GRANTED BY THE TERMS OF A TRUST, A WILL, OR THIS SUBTITLE, A FIDUCIARY SHALL ADMINISTER A TRUST OR ESTATE IMPARTIALLY, BASED ON WHAT IS FAIR AND REASONABLE TO ALL OF THE BENEFICIARIES, EXCEPT TO THE EXTENT THAT THE TERMS OF THE TRUST OR THE WILL CLEARLY MANIFEST AN INTENTION THAT THE FIDUCIARY SHALL OR MAY FAVOR ONE OR MORE OF THE BENEFICIARIES. A DETERMINATION IN ACCORDANCE WITH THIS SUBTITLE IS PRESUMED TO BE FAIR AND REASONABLE TO ALL OF THE BENEFICIARIES.

PART II. DECEDENT'S ESTATE OR TERMINATING INCOME INTEREST.

15-503. DETERMINATION AND DISTRIBUTION OF NET INCOME.

AFTER A DECEDENT DIES, IN THE CASE OF AN ESTATE, OR AFTER AN INCOME INTEREST IN A TRUST ENDS, THE FOLLOWING RULES APPLY:

(1) (I) A FIDUCIARY OF AN ESTATE OR OF A TERMINATING INCOME INTEREST SHALL DETERMINE THE AMOUNT OF NET INCOME AND NET PRINCIPAL RECEIPTS RECEIVED FROM PROPERTY SPECIFICALLY GIVEN TO A BENEFICIARY UNDER THE RULES IN PARTS III THROUGH V OF THIS SUBTITLE WHICH APPLY TO TRUSTEES AND THE RULES IN PARAGRAPH (4) OF THIS SECTION. THE FIDUCIARY SHALL DISTRIBUTE THE NET INCOME AND NET PRINCIPAL RECEIPTS TO THE BENEFICIARY WHO IS TO RECEIVE THE SPECIFIC PROPERTY.

(II) 1. IF THE INCOME AND PRINCIPAL RECEIPTS FROM THE SPECIFIC PROPERTY ARE NOT SUFFICIENT TO PAY THE TAXES, ORDINARY REPAIRS, AND OTHER EXPENSES OF MANAGEMENT AND OPERATION RELATING TO THE PROPERTY, OR IF THERE ARE NO INCOME OR PRINCIPAL RECEIPTS, THEN EXPENSES IN EXCESS OF INCOME AND PRINCIPAL RECEIPTS SHALL BE CHARGED TO AND PAID BY THE BENEFICIARY WHO IS TO RECEIVE THE SPECIFIC PROPERTY IMMEDIATELY UPON WRITTEN DEMAND OF THE PERSONAL REPRESENTATIVE, OR AT THE OPTION OF THE BENEFICIARY, CHARGED AGAINST A SHARE OF THE ESTATE TO WHICH THE BENEFICIARY MAY BE ENTITLED.

2. IF THE BENEFICIARY WHO IS TO RECEIVE THE SPECIFIC PROPERTY FAILS TO MAKE PAYMENT TO THE PERSONAL REPRESENTATIVE WITHIN 15 DAYS FROM THE DATE OF WRITTEN DEMAND, THE PERSONAL REPRESENTATIVE MAY SELL AT EITHER PUBLIC OR PRIVATE SALE THE SPECIFIC PROPERTY TO SATISFY THE EXCESS CHARGES, TAXES, AND EXPENSES ACCRUED. PROCEEDS OF THE SALE IN