Maryland Resident Agent Services

Businesses registered in Maryland must keep certain information on file with the state, including the name and address of a resident agent. This agent receives legal documents and official notices on the business's behalf. Joseph, Greenwald & Laake provides resident agent services to businesses that need a point of contact for legal papers and state correspondence. Our business law attorneys help clients meet this requirement and keep their resident agent information current.

What Does a Resident Agent Do?

A resident agent is an individual or eligible business entity designated to receive legal documents on behalf of a company. These documents may include court papers, subpoenas, and other official notices involving the business. Maryland requires entities that fall within certain statutory categories to maintain a resident agent with an address in the state.

The resident agent serves as the official point of contact when someone needs to deliver legal papers to the business. This helps ensure that important documents have a designated place for service and that the company can receive notice of legal proceedings involving it.

Which Businesses Must Have a Resident Agent?

Maryland requires several types of business entities to maintain a resident agent. These include Maryland corporations, limited liability companies (LLCs), limited partnerships, limited liability partnerships (LLPs), statutory trusts, and real estate investment trusts. Businesses created in another state may also need to appoint a Maryland resident agent when they register or qualify to conduct business here. The exact requirements depend on the entity's structure and registration status.

For example, a company formed in another state that registers to conduct business in Maryland generally must maintain a resident agent with a Maryland address. The requirement also applies to many businesses formed locally, even when the owners or managers live elsewhere. Sole proprietorships and some other business arrangements have different registration requirements, so business owners should confirm whether their particular structure needs a resident agent.

Who Can Serve as a Resident Agent?

Maryland law limits who may serve as a resident agent. Generally, an eligible resident agent must be:

- An individual who resides in Maryland and is at least 18 years old.
- A Maryland corporation, limited liability company, or eligible limited partnership or limited liability limited partnership.
- Able to maintain a physical street address in Maryland where legal documents can be delivered. A P.O. box does not satisfy the address requirement.
- Willing to accept the appointment and provide the required written consent.

A business cannot simply list itself as its own resident agent. The designated person or entity must also meet any additional requirements that apply to the particular business structure.

What Happens If Your Business Does Not Maintain a Resident Agent?

Failing to maintain an active resident agent can affect a business's standing with the Maryland Department of Assessments and Taxation (SDAT). SDAT identifies the absence of an active resident agent as a common reason a business may fall out of good standing. If the problem remains unresolved, the entity may eventually face forfeiture of its right to conduct business in Maryland. For a domestic corporation, forfeiture also means the corporation loses its legal existence under Maryland law.

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An outdated or unavailable resident agent can create problems even before a business faces a status issue. If the company does not receive notice of a lawsuit, subpoena, or other legal proceeding, its owners may miss important deadlines or lose an opportunity to respond. Service on a resident agent can constitute effective service on the business under Maryland law. Keeping the agent's name and address current helps the company receive important documents and respond appropriately.

How to Change Your Resident Agent

A business may need to change its resident agent when the current agent moves out of Maryland, resigns, becomes unavailable, or no longer agrees to serve. An owner may also decide to use a professional resident agent service instead of relying on an individual who may not consistently be available to receive legal documents.

To make the change, the business must authorize a new resident agent, obtain the required consent, and file the appropriate paperwork with SDAT. The filing requirements vary by entity type. For example, a Maryland corporation generally uses a board resolution, while an LLC uses a statement signed by an authorized person. A limited partnership uses a statement authorized by a general partner. The change generally takes effect when SDAT accepts the filing. Businesses should confirm that the new appointment is in place before the prior agent's resignation or appointment ends.

What Our Resident Agent Service Includes

Joseph, Greenwald & Laake provides resident agent services for businesses that need an eligible Maryland agent. Our attorneys can serve as the designated point of contact for service of process and official legal documents, giving business owners a reliable Maryland address for those deliveries.

Our resident agent services include receiving legal papers and official notices on the business's behalf and forwarding those documents to the appropriate business contact. We can also assist with the paperwork required to appoint or change a resident agent and help businesses update their information with SDAT. When a business needs additional legal assistance, our business law attorneys can also advise on related matters involving entity formation, corporate records, contracts, and ongoing business operations.

Why Choose Joseph Greenwald & Lake as Your Resident Agent

Keeping an active resident agent is an important part of maintaining a business's registration and good standing. At Joseph, Greenwald & Laake, we help businesses meet this responsibility while providing access to attorneys who understand the legal and operational issues that business owners face. Whether you are forming a company, replacing an existing agent, or looking for ongoing resident agent services, our team can help you address the requirements and keep your business information current.

If your business needs a resident agent or assistance updating its existing designation, contact Joseph Greenwald & Laake to discuss our resident agent services and schedule a consultation.

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