

estate, to be limited to the extent of such existing insurance. The provisions as to such time for filing of a suit shall also be deemed to permit claims made against the Unsatisfied Claim and Judgment Fund of the State of Maryland, in the event such claim could otherwise legally be made.

8-105. Order of payment.

If the applicable assets of the estate are insufficient to pay all claims in full, the personal representative shall make payment in the following order:

- (a) Fees due to the Register.
- (b) Funeral expenses as provided in Section 8-106.
- (c) Costs and expenses of administration, including compensation of personal representative as provided in Section 7-601, for legal services as provided in Section 7-602, and commissions of licensed real estate brokers and salesmen.
- (d) Family allowance as provided in Section 3-201.
- (e) Taxes due by the decedent.
- (f) Reasonable medical, hospital and nursing expenses of the last illness of the decedent.
- (g) Rent payable by the decedent for not more than three months in arrears.
- (h) Wages, salaries or commission for services performed for the decedent within ninety days prior to decedent's death.
- (i) Old age assistance claims under Section 77 of Article 88A.
- (j) All other claims.

No preference shall be given in the payment of any claim over any other claim of the same class, nor shall a claim due and payable be entitled to a preference over claims not yet due.

8-106. Funeral expenses.

Subject to the priorities contained in Section 8-105, every personal representative, within ~~four~~ SIX months after the date of the first published notice to creditors, shall pay the funeral expenses of the decedent. Said expenses shall be allowed in the discretion of the Court according to the condition and circumstances of the decedent, but in no event shall such allowance exceed \$500 unless the estate of the decedent is solvent and a special order of Court has been obtained; provided, however, that if the estate is solvent and ~~(a) the personal representative is proceeding under a grant of extended powers as provided in Section 7-402, or (b) if the will expressly empowers the personal representative to pay such expenses without an order of court,~~ no such allowance by the Court shall be required. If the funeral expenses are not paid within such period the creditor may petition the Court to require the personal representative to show cause why he should not be compelled to make such payment. If the Court finds that such claim is valid, it shall fix the amount due and shall order the personal representative to make payment within ten days after the order is served upon the personal representative, or