

Dear Stewart Partners,

It seems like just last week we were in shorts and t-shirts. Instead, it's now suddenly November and the leaves are fallin' all around in New England. We hope you can take a break from raking, apple picking, and rambling on in your leaf peeping adventures to enjoy this week's Mid-Week Update. The topics include a significant increase in Maine real estate transfer tax rates, information regarding the closure of New Hampshire's Rockingham County Registry of Deeds for the week of November 17, 2025, and Stewart's third quarter financial report. Also, in case you missed our communication regarding certain updates about the new Massachusetts DOR withholding requirements, be sure to read the information below.



Maine Significantly Increases Real Estate Transfer Tax By:
Zachary Greenfield, Esq., Maine State Counsel

According to 36 M.R.S. § 4641-A, all non-exempt Maine real estate sale transactions are subject to transfer tax based on the value of the property. Unless otherwise agreed by the parties, the tax is split equally between buyer and seller. The tax is due and payable to the Registry of Deeds upon recording the deed of sale. Prior to November 1, 2025, the applicable tax rate for non-exempt transactions was \$2.20 per \$500.00 of value or consideration paid.

However, effective November 1, 2025, Maine has significantly increased the rate for properties worth more than \$1,000,000.00. Under LD 210, while the rate for amounts up to \$1,000,000.00 is unchanged, the rate for sums exceeded \$1,000,000.00 has increased by an additional \$3.80 per \$500.00 of value. In other words, the total tax imposed per transaction on any portion exceeding \$1,000,000.00 is now \$12.00 per \$1,000.00 of value or consideration paid.

The rationale behind this change is said to have been tied to Maine's ongoing housing affordability crisis. With constrained inventory and home prices significantly higher than they were before the COVID-19 pandemic, which brought countless out-of-state buyers to Maine seeking to avoid more crowded areas, Maine's legislature saw an apparent opportunity to slow price growth and create a more sustainable funding source for affordable housing programs by targeting the luxury end of the market. However, some real estate industry stakeholders caution that the tax may have the unintended side-effect of disincentivizing incoming retirees and residential multi-family investors and that it will be particularly harmful to the commercial real estate market, wherein the typical sale price often exceeds \$1,000,000.00. Others have complained that Maine is already one of the highest-taxed

states in the nation and that increasing transfer taxes will merely continue the trend of overburdening Maine's aging population. Notwithstanding these complaints, the bill was enacted into law, and it is imperative for practitioners to immediately begin calculating the additional tax amount. Failure to do so can result in deeds be rejected for recording and shortfalls on closing statements.

The following chart illustrates how the new effective tax rate has nearly doubled for \$2,000,000.00 sales, and has more than doubled for sales exceeding \$3,000,000.00:

MAINE REAL ESTATE TRANSFER TAX BEFORE AND AFTER INCREASE						
PRICE	PRE-11/1/25		AS-OF 11/1/25		INCREASE	
\$1M	Standard	\$ 4,400.00	Standard	\$ 4,400.00		
			Additional	\$ -		
	TOTAL	\$ 4,400.00	TOTAL	\$ 4,400.00	\$ -	0.00%
\$2M	Standard	\$ 8,800.00	Standard	\$ 8,800.00		
			Additional	\$ 7,600.00		
	TOTAL	\$ 8,800.00	TOTAL	\$16,400.00	\$ 7,600	86.36%
\$3M	Standard	\$13,200.00	Standard	\$13,200.00		
			Additional	\$15,200.00		
	TOTAL	\$13,200.00	TOTAL	\$28,400.00	\$15,200	115.15%
\$4M	Standard	\$17,600.00	Standard	\$17,600.00		
			Additional	\$22,800.00		
	TOTAL	\$17,600.00	TOTAL	\$40,400.00	\$22,800	129.55%
\$5M	Standard	\$22,000.00	Standard	\$22,000.00		
			Additional	\$30,400.00		
	TOTAL	\$22,000.00	TOTAL	\$52,400.00	\$30,400	138.18%

Given the significant tax increase imposed by the new law, understanding Maine's transfer tax exemptions is now of heightened importance for practitioners. Those exemptions, which are found at 36 M.R.S. § 4641-C, are as follows:

1. Governmental entities (from most federal, state, and municipal government entities).
2. Mortgage deeds, deeds of foreclosure and deeds in lieu of foreclosure.
3. Deeds affecting a previous deed (such as corrective deeds).
4. Deeds between certain family members.
5. Tax deeds (from municipalities to restore title to a formerly delinquent taxpayer).
6. Deeds of partition.
7. Deeds pursuant to mergers or consolidations.
8. Deeds by a subsidiary corporation.
9. Deeds prior to October 1, 1975.
10. Deeds by a parent corporation.
11. Deeds of distribution (from estates).
12. Deeds executed by public officials.
13. Deeds of foreclosure and in lieu of foreclosure.
14. Deeds given pursuant to the United States Bankruptcy Code.
15. Deeds; trustee, nominee or straw party.
16. Certain corporate, partnership and limited liability company deeds.

17. Deeds to charitable conservation organizations.
18. Limited liability company deeds (from individual to their limited liability company).
19. Change in identity or form of ownership.
20. Controlling interests.
21. Transfers pursuant to transfer on death deed.

If you need assistance calculating transfer taxes under the new law, have questions about the applicability of exemptions, or have any other questions relating to the transfer tax in Maine, please don't hesitate to reach out to Stewart's Maine underwriting team.



Rockingham County Registry of Deeds Closure-November 17th through November 21, 2025 By: Michelle Radie-Coffin, Esq., New Hampshire State Counsel

The Rockingham County Registry of Deeds will be closed for business the week of November 17, 2025, and is scheduled to reopen on Monday, November 24, 2025. The notice posted by the registry of deeds can be found here [NH Registry of Deeds](#).

During the closure, physical access to the deeds office will not be permitted but you will be able to perform customary online searches. The registry will not be doing any recordings that week which includes e-recordings, mail, and overnight carriers such as Fed Ex and UPS. According to the registry, e-recording submitters can submit documents, but they will remain in sent status at the close of day on Friday, November 14th and will not change to receive status until Monday, November 24th. Essentially, if you e-record, documents submitted will sit in a queue until the registry reopens on Monday, November 24th. Documents received via mail services will be merged in accordingly. Please be on the lookout for an upcoming Stewart bulletin to be issued on this matter as it will include the form of the Gap Indemnity to be used for transactions affected during the time period when you will be unable to record.

If you have any questions as to how to proceed during the closure, please reach out to michelle.radicoffin@stewart.com



Stewart Reports Strong Third Quarter 2025 Results

On October 22, 2025, Stewart Information Services Corporation (NYSE: STC) reported net income attributable to Stewart Title Guaranty Company of \$44.3 million (\$1.55 per diluted share) for the third quarter 2025, compared to net income of \$30.1 million (\$1.07 per diluted share) for the third quarter 2024. On an adjusted basis, net income for the third quarter 2025 was \$46.7 million (\$1.64 per diluted share) compared to net income of \$33.1 million (\$1.17 per diluted share) in the third quarter 2024. Pretax income before noncontrolling interests for the third quarter 2025 was \$61.2 million (\$64.5 million on an adjusted basis) compared to \$42.8 million (\$46.8 million on an adjusted basis) for the third quarter 2024.

"I am proud of our third quarter results as they demonstrate our momentum," commented Fred Eppinger, chief executive officer. "We are committed to growth across all business lines and are thoughtful in our operational management. The combination of these efforts allowed us to deliver solid third quarter results, even as the broad housing environment remains subdued relative to historic norms."



New Massachusetts Filing and Withholding Requirements as of November 1, 2025 – Some Updates

Over the weekend, the Massachusetts Department of Revenue (DOR) updated their site relating to the filing of form NRW. The site now provides detailed guidance on the procedure that a withholding agent must follow in order to submit the required documentation and make payment as necessary.

The certification was also put in final form a few days ago. The final certification form can be viewed here: [Transferor's Certification](#) and the instructions for completing the Certification can be found here: [Instructions for Transferor's Certification](#)

In terms of an update to the site: the site now has a section called "File and Pay on MassTax Connect" – which section provides step-by-step instructions about how to file without logging into MassTaxConnect as well as making the filing if a withholding agent already is a registered user and has an account. In addition, the DOR has also provided a specific email address in its "Contact Us" section for questions relating to the Non-Resident Withholding requirements. This email address is: NRREWH@dor.state.ma.us

Lastly, on Friday, the DOR announced that it will waive penalties imposed on withholding agents for failing to file the form NRW or withhold on such sales during the month of November, 2025. However, attorneys are still required to file the forms and remit the withheld amount, if applicable. The DOR's announcement is pasted below.

Penalty Relief Announced on Upcoming Withholding Requirement

Effective November 1, 2025, 830 CMR 62B.2.4, Withholding on Sales of Massachusetts Real Estate, imposes a withholding requirement on transfers of Massachusetts real estate where the gross sales price is \$1,000,000 or more. A withholding agent is responsible for filing Form NRW, any Transferor's Certifications, and remitting any withholding within 10 days of the closing. Exemptions from, and reductions to, the withholding requirement may apply (e.g., full-year Massachusetts residents are exempt). For a full list of exemptions and reductions see [Transferor's Certification](#) and [Instructions](#).

As the November 1 effective date of 830 CMR 62B.2.4 approaches, DOR acknowledges that withholding agents may require additional time to familiarize themselves with Form NRW in order to comply with the regulation's requirements. For closings occurring November 1 through November 30, 2025, DOR will waive any penalties imposed on withholding agents for failing to file the Form NRW and/or withhold on such sales. Form NRW will be available on [MassTaxConnect](#) beginning November 1.

Resources

Additional information can be found in the [Frequently Asked Questions](#). DOR has also [issued a Regulation](#) that outlines the requirements for filing a withholding return and making a withholding payment.

Questions

If you have questions after reviewing the information in this notice and the links provided, you can send them along to NRREWH@dor.state.ma.us or (617) 887-6367.



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