



New England Regional Midweek Update

12/17/2025

Dear Stewart Partners,

For our last substantive mid-week update of 2025, we thought we'd take the opportunity to recap some of this year's "greatest hits" relating to recent changes in real estate law and practices in the New England States.

On a national level, the biggest news was the FinCEN Residential Real Estate Reporting Rule which was slated to go into effect on December 1, 2025 but was postponed until March 1, 2026. While there was a 3-month delay in enforcement of the Rule, March will be here before we know it. Fortunately, Stewart has a [website](#) dedicated to providing you with the information you need to comply with the Rule.



2025 Year in Review

Across New England, several states passed new or updated laws affecting real estate titles. In **New Hampshire**, Stewart's own Michelle Radie-Coffin worked tirelessly to have a new law passed which helps deal with undischarged mortgages that remain on title. The new law will go into effect on January 1, 2028. You can read more about the law in our [July 16, 2025 update](#).

The legislature in **Connecticut** also enacted legislation to assist in clearing title. As we advised in our [May 7, 2025 update](#), a proposed amendment to Conn. Gen. Stat. §49-13a reduces the time for recording an affidavit invalidating an undischarged mortgage. The current law provides that an affidavit signed by the owner confirming undisturbed

possession for 20 years after the time for performance of the mortgage will serve to invalidate the mortgage. The new law, which goes into effect on January 1, 2026, reduces that 20-year time period to 10 years.

The **Connecticut Bar Association** also adopted a new Standard of Title dealing with the sale of a mobile home park. As an article in our [June 11, 2025 update](#) advised, because of laws providing tenants with the right of first purchase and right of first refusal when a park is being sold, a practitioner involved with the sale of park property needs to be familiar with this Standard of Title and the underlying statutes. Further, because every state in New England has regulations regarding the sale of mobile home parks, it is important to reach out to an underwriter for guidance when dealing with that type of transaction.

Vermont also passed new laws impacting real estate titles. [27 V.S.A. §348](#) was amended effective June 12, 2025 to provide a curative measure for deeds signed under unrecorded powers of attorney; so long as the deed has been on record for 15 years without challenge, it is now considered valid. The legislature also expanded protections from creditors for property that was owned by spouses as tenancy by the entirety but was conveyed to their trust or trusts. The amendment to [14A V.S.A. §505](#) was effective April 24, 2025. You can read more about both of these amendments in our [April 2, 2025 update](#).

Two New England states had increases in their transfer taxes, and one state enacted a new non-resident withholding rule.

In **Maine**, the transfer tax for properties worth more than \$1,000,000 increased to \$3.80/\$500 of value, making the total tax \$12 per \$1,000 of value or consideration paid on any portion in excess of \$1,000,000. You can read more about the increase, which was effective November 1, 2025, along with exemptions that may apply, in our [November 5, 2025 update](#).

Rhode Island also saw an increase in their conveyance tax. Effective October 1, 2025, the tax increased from \$2.30/\$500 to \$3.75/\$ 500, representing an increase of over 60%. Similar to Maine, Rhode Island also has a multi-tier tax rate. You can read more about the calculation of the tax on the [Division of Taxation website](#).

Finally, a new tax withholding rule impacting real estate conveyances went into effect in **Massachusetts** on November 1, 2025. The new rule impacts any sale where the purchase price exceeds \$1,000,000. If the transaction equals or exceeds that amount, the Withholding Agent is required to file a Transferor's Certification with the Department of

Revenue, and fill out the Non-Resident Withholding Form NRW on DOR's MassTaxConnect website. Withholding is required if an exemption does not apply. DOR has a dedicated website containing answers to frequently asked questions, which you can access [here](#).

We hope you find this information useful, and of course if you have any questions please feel free to reach out to a Stewart underwriter.



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