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New England Regional Midweek Update
7/15/2026

Dear Stewart Partners,

We have entered the month of July and the celebration of the 250th anniversary year of the Declaration of Independence. We hope you have been able to enjoy the beautiful weather and the many outdoor activities available to us in New England during the summer months.

In this Mid-Week Update, we are highlighting two recently enacted industry related bills in New Hampshire as well as sharing exciting news for our New Hampshire agents. In addition, we review Connecticut statutes and requirements governing the release of mortgages and examine common irregularities and discrepancies encountered in mortgage releases and related instruments affecting title.

Recently Enacted Laws which Impact the Title Industry By: Michelle Radie-Coffin, Esq., New Hampshire State Counsel

HB 1040 – Property Fraud Study Committee

New Hampshire Governor Kelly Ayotte has signed **HB 1040**, establishing a committee to study New Hampshire's laws and procedures related to quitclaim deeds and their potential use in property fraud and title theft. The committee will evaluate safeguards, review best practices from other states, and recommend potential legislative changes to help protect property owners. The effective date is July 2, 2026 and the committee shall report its findings on or before November 1, 2026. For full details of this legislation see: https://gc.nh.gov/bill_status/pdf.aspx?id=34042&q=billVersion

SB 415 – Condominium Act Updates

The Governor has also signed **SB 415**, which modernizes portions of New Hampshire's Condominium Act by expanding exemptions for certain smaller condominium projects (from 10 units to 25 units), eliminating abbreviated registrations, and creating a commission to study additional updates to condominium laws. The legislation is intended to streamline condominium development while supporting future housing opportunities across the state. The effective date is July 2, 2026. For a more detailed review please visit: https://gc.nh.gov/bill_status/pdf.aspx?id=34078&q=billVersion

Strengthening Our Commitment to New Hampshire Agents

Stewart is pleased to welcome Brian C. Goudas as Agency Sales Representative and Underwriting Counsel for New Hampshire. Working alongside Michelle Radie-Coffin, Brian will further strengthen Stewart's commitment to providing exceptional underwriting and agency support to our New Hampshire policy-issuing agents.

Brian brings more than 35 years of legal experience and over 25 years dedicated to the real estate title and closing industry. Licensed to practice law in New Hampshire, he has conducted thousands of real estate closings, performed extensive title reviews, and earned a reputation for delivering practical legal guidance and exceptional client service. As an attorney, business owner, educator, and industry leader, Brian understands the challenges real estate settlement professionals and attorneys face every day.

Brian joins Stewart's New Hampshire team alongside Michelle Radie-Coffin, Stewart's New Hampshire State Counsel and Agency Sales Manager, expanding the underwriting and agency support available to Stewart's agents throughout the state. Together, Brian and Michelle offer a unique perspective shaped by decades of experience on the agency side of the business. Having owned and operated successful title agencies, they understand firsthand the importance of responsive underwriting, practical solutions, and trusted partnerships when working to bring transactions successfully to the closing table.

This shared experience enables Stewart to provide more than underwriting expertise—it allows the team to deliver informed, real-world guidance from professionals who have stood in their agents' shoes and understand the demands of today's real estate market.

We're excited to have Brian join our New Hampshire team and look forward to introducing him to many of you in the weeks ahead. Together, with the support of Gary Bernier, New England District Manager, and Jutta Deeney, New England Regional Underwriting Counsel, we will continue providing the responsive service, practical underwriting guidance, and trusted partnership you've come to expect from Stewart Title. Please join us in welcoming Brian. Brian can be reached at Brian.Goudas@stewart.com and at 603-472-0002.

Connecticut Release of Mortgage, Mechanic's Lien or Power of Attorney and Irregularities and Discrepancies on Real Property: Statutory Framework and Practice Guidance

By: David M. Piechota, Esq., Connecticut Underwriting Counsel

Understanding the statutory framework and applicable title standards for mortgage releases can assist title professionals in evaluating whether a release effectively extinguishes a mortgage lien of record and supports marketable title.

Connecticut General Statutes § 49-9 establishes the statutory mechanism for the release of mortgages, mechanic's liens, and powers of attorney related to the conveyance of land. The statute provides both the required formalities and the legal effect of a properly executed release.

Under § 49-9(a), a mortgage of real or personal property, a mechanic's lien, or a power of attorney for the conveyance of land may be released by a written instrument that is executed, witnessed, and acknowledged in the same manner as a deed. The instrument must state that the mortgage or lien has been discharged or that the obligation secured by the instrument has been satisfied. The statute further provides that a release substantially following the prescribed statutory form is sufficient.

For partial releases under Connecticut General Statutes § 49-8, the release must clearly identify the portion of the mortgaged property being released and describe the extent of the release with sufficient certainty.

Town clerks are required to record and index releases under both the name of the releasor and the mortgagor. Additionally, § 49-9(d) provides important protection for reliance on recorded releases by confirming that a release executed in accordance with the statute effectively releases the releasor's interest in the mortgage, even if the releasor's interest is acquired after execution or is not reflected on the record until a later date.

Irregularities and Discrepancies in Mortgage Releases

Title professionals frequently encounter releases containing inaccuracies in dates, recording references, party names, loan amounts, or legal descriptions. Connecticut Title Standard 18.4 provides valuable guidance in evaluating such defects.

The Standard recognizes that a release should generally be deemed sufficient if, considering all circumstances of record, enough information is provided to identify with reasonable certainty the mortgage intended to be released. The controlling inquiry is whether the searcher can determine from the instrument and the surrounding record evidence that a specific mortgage was intended to be discharged.

Examples of errors frequently encountered include incorrect volume and page references; transposed recording dates; misspelled borrower or lender names; minor errors in legal descriptions; and references to mortgage modifications rather than the original mortgage.

A release containing such mistakes should not automatically be rejected. Where the recorded chain adequately connects the release to the mortgage intended to be discharged, Connecticut Title Standard 18.4 generally supports acceptance of the release.

Careful application of Connecticut General Statutes § 49-9 and Connecticut Title Standard 18.4 will often permit practical resolution of title issues without the need for corrective documentation, while still protecting the integrity of the land records.

As always, Stewart's Connecticut Underwriting Department remains available to assist with questions regarding mortgage releases, assignment issues, and other title matters affecting Connecticut real property transactions.

Upcoming Educational Opportunities

2026 Massachusetts Talk Title Webinars – Probate 101: Taking Title out of Probate – Testate Estate, August 12, 2026

Join Jutta Deeney, Esq., Stewart's Regional Underwriting Counsel for New England, and Tracie Kester, Esq., Stewart's Deputy Regional Underwriting Counsel for New England, for the next installment of their Probate 101 webinars. In this installment, Jutta and Tracie will be discussing how to deal with taking title from a decedent's estate in a current transaction when the decedent died with a Will. The webinar will take place from 11 AM to 11:30 AM. To register, click here: Register Here

New England Land Title Association Webinar featuring Stewart's Maine State Counsel, Zachary Greenfield, Esq.

The New England Land Title Association (NELTA) is hosting a webinar TODAY from 12 to 1 PM on Hot Topics in Real Estate Practice (Ethics). The live webinar features Zack Greenfield, Stewart's Maine State Counsel, along with John Prendergast, Assistant Bar Counsel for the Maine Board of Overseers of the Bar, and Aria Yee, Executive Director of the Board of Overseers of the Bar. The webinar has been approved for ethics credits in Connecticut, Maine, New Hampshire, Rhode Island, and Vermont. The webinar is free to NELTA members. To register, follow this link: New England Land Title Association

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