



Dear Stewart Partners,

We hope you enjoyed a restful long weekend and were able to take advantage of some winter sunshine before settling back into the week. In this issue, we're sharing a brief update on developments worth watching in the real estate and title insurance space, including a proposed Vermont bill addressing identity verification in real property transactions, as well as Connecticut laws impacting the real estate practice set to take effect in 2026. We are also sharing the news that Stewart's Monica Barrera, Connecticut Agency Sales Representative, has been elected to the Board of Directors of CREW CT.

As always, we hope you find this information useful, and please feel free to reach out to us with any questions you may have.



**Proposed Identity Verification Requirements for Vermont Land Records** By: Jill Spinelli Quong, Vermont State Counsel & Associate  
Senior Underwriter

The Vermont Legislature is considering proposed legislation, [House Bill 645 \(H.645\)](#), that would introduce new identity verification requirements into real property transactions and the land records recording process. The proposed bill is intended to reduce fraud by strengthening verification of grantors' identities and by incentivizing the use of approved identity-verification platforms.

The proposed bill would establish a registry of "secure real property transactors" maintained by the Secretary of State. Attorneys, real estate brokers and salespersons, title insurers, mortgage lenders, and parties to transactions could register annually by demonstrating that they use an identity verification platform approved by the Secretary of State. Approved platforms would be required to meet minimum standards for identity documents, privacy protections, data security, and verification methods.

Under the proposed legislation, town clerks would play a new role in the recording process. Before indorsing and recording an instrument conveying an interest in real property, the clerk would be required to verify that at least one participant in the transaction—such as the grantor, grantee, attorney, broker, title insurer, or lender—is either registered as a secure real property transactor or has submitted documentation showing that the grantor's identity was verified using an approved platform. Instruments meeting these requirements would be prioritized and expedited for recording. If verification cannot be confirmed, the clerk would notify the parties and delay indorsement for up to 15 days or until verification is provided.

The proposed bill also creates new professional obligations. Real estate brokers and salespersons representing sellers would be required to take reasonable steps to verify the identity of their clients, and failure to do so would constitute unprofessional conduct. Attorneys representing grantors would be required to verify client identity and record an affidavit affirming that reasonable verification measures were taken.

#### *What This Proposed Bill Means for Real Estate Attorneys*

If enacted, proposed H.645 would formalize identity verification as part of an attorney's role when representing grantors in real property transactions. Real estate attorneys would be required to take reasonable measures to verify the identity of their client and to execute and record an affidavit of verified grantor identity with the deed or other conveyance instrument.

In practice, this could require attorneys to:

- Adopt or integrate an approved identity verification platform into intake and closing procedures;
- Adjust closing checklists and recording packages to include the required affidavit;
- Coordinate verification documentation with title insurers, lenders, and municipal clerks to avoid recording delays; and
- Register as a secure real property transactor to ensure expedited recording.

Because recording priority under the proposed bill would be tied to verification status, attorneys may play a central role in helping transactions avoid delayed indorsement at the town clerk's office.

H.645 has been referred to the House Committee on Government Operations and Military Affairs. If adopted in its current form, the proposed bill would take effect on January 1, 2027, and would represent a significant procedural change for real estate professionals, attorneys, and municipal clerks. We will continue to monitor this proposed legislation throughout the legislative session and will issue a bulletin if a version of this bill is adopted.



#### **Connecticut Laws Impacting Real Estate Set to Take Effect in 2026** By: Frank Cammarano, Underwriting Counsel – Connecticut

Several laws impacting the real estate practice in Connecticut passed in the 2025 legislative session are set to take effect wholly or partially in 2026. The following new measures address issues in connection with the use of solar panels in common interest communities, mortgage foreclosures, undischarged mortgages, and real estate wholesalers:

##### **1. Public Act 25-46 An Act Concerning Mortgage Foreclosures and Undischarged Mortgages**

This Act establishes a ten-year statute of limitations for bringing an action to foreclose on certain mortgages for a one-to-four-family dwelling that the mortgagor uses as his or her principal residence. The Act's prohibition on bringing an action is generally the earlier of ten years after the (1) due date for the mortgage's last payment or the maturity date set or calculated from information in the mortgage or the instrument secured by the mortgage, or

(2) last payment by, or on behalf of, the debtor. However, the Act allows for an extension of the ten-year period if there is a written instrument that extends it, in which case the new statute of limitations is ten years after the extended date. Additionally, if during the last two years of the ten-year period, a law, order, or rule prohibits the action from being brought, the Act allows for an extension equal to the prohibition's duration.

The Act exempts mortgages from the statute of limitations if they are (1) recorded before 2026 and were first in priority at the time of recording (including one subsequent to a satisfied, but not yet released mortgage) or (2) subordinate to a first mortgage when they were recorded, regardless of recording date, and held by the original mortgagee or its subsidiary, affiliate, or successor by merger or acquisition. It also exempts actions to cure certain foreclosure errors like improper service or omitting a party from the Act's statute of limitations.

Lastly, the Act repeals and replaces C.G.S. Section 49-13a with a version that reduces the time after which an unreleased mortgage is deemed invalid under certain circumstances. Under the new law, when record title to real property remains encumbered by an undischarged mortgage, and the mortgagor or current owner has had undisputed possession for at least ten years after the maturity date stated in the mortgage, said mortgage is invalid if the person in possession files an affidavit that meets certain conditions in the land records.

*EFFECTIVE DATE: January 1, 2026*

2. Public Act 25-73 An Act Allowing, inter alia, Solar Installations in Certain Common Interest Communities, §§ 10 & 11 – Solar Panels on Condominiums and Planned Communities

The Act prohibits enforcing any provisions in a condominium or planned community declaration or bylaws that prohibit or unreasonably restrict solar generating systems (i.e., solar panels) on the roofs of single-family detached units or that otherwise conflict with the Act's solar panel requirements, beginning January 1, 2026. It also establishes (1) a solar panel approval process for unit owners and these associations to follow; (2) terms to which the unit owner must agree (e.g., to assume certain costs and indemnify the association); and (3) a period during which associations may opt out of the Act's solar panel-related requirements. In doing so, the Act repeals a prior, narrower provision that restricted planned community associations (but not condominiums or cooperatives) from barring solar panels on units that do not share a roof. The Act additionally authorizes associations to install solar panels on any common elements for all unit owners' use and develop rules for their use.

*EFFECTIVE DATE: January 1, 2026*

3. Public Act 25-168 An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefor, and Provisions Related to Revenue and Other Items Implementing the State Budget, §§ 252-259 – Real Estate Wholesalers

The Act requires a person (i.e. individual or business entity) to have a Connecticut Department of Consumer Protection (DCP) registration before acting as a real estate wholesaler in Connecticut. It also requires each real estate wholesale contract to include a seller's right to cancel within three business days without penalty. It generally prohibits

these contracts from having a closing date that is more than ninety days after the contract is executed.

Under the Act, real estate wholesalers must make certain disclosures and give a prospective seller a DCP-developed wholesale disclosure report.

The Act also prohibits (1) anyone from recording on a town's land records any real estate wholesale contract documentation that claims to create any lien or encumbrance on the residential real property that is the subject of the wholesale contract and (2) a real estate wholesaler from filing a purchaser's lien related to a wholesale contract.

The Act allows the DCP commissioner to adopt regulations to implement these provisions and makes a violation of these provisions a violation of the Connecticut Unfair Trade Practices Act (CUTPA).

*EFFECTIVE DATE: July 1, 2026*



### **Notable Announcements:**

#### **Stewart's Monica Barrera elected to CREW Connecticut Board of Directors**

Please join us in congratulating Monica Barrera, Stewart Connecticut Agency Sales Representative, on her election to the CREW Connecticut Board of Directors for 2026 – 2027. Monica is also the Connecticut delegate to the National CREW Network, acting as a liaison between the local and national CREW chapters.

CREW, which stands for Commercial Women in Real Estate, is a business networking organization whose goal is to advance women in commercial real estate. To learn more about CREW Connecticut, please visit their website: <https://connecticut.crewnetwork.org/>. You can also reach out to Monica directly with any questions at [Monica.Barrera@stewart.com](mailto:Monica.Barrera@stewart.com)

Stewart is proud to be a 2026 corporate sponsor of CREW Connecticut.



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