

Stewart – Massachusetts Mid-Week Update – April 22, 2020

Dear Stewart Partners,

As always, we hope that you, your colleagues, staff and family are doing well. We are happy to report that your Massachusetts Stewart team is doing well and are here to work with you and help you in every way we can. As we've been doing for the past three weeks, we are providing you with this mid-week email to keep you apprised of recent development and relay information you may find useful.

- **FORECLOSURE MORATORIUM LEGISLATION-New Law and Underwriting Guidelines**
Massachusetts has enacted a new law that places a moratorium on evictions and foreclosure during the Covid-19 Emergency. The law can be viewed at the following link: <https://malegislature.gov/Laws/SessionLaws/Acts/2020/Chapter65>

In addition, it is important to remember there has also been federal legislation relative to foreclosures and evictions, as well as implementation of suspensions of foreclosures by HUD, Fannie Mae, Freddie Mac, and the Veterans Administration. The various laws and agency-imposed moratoriums will affect the ability to insure property which is derived through a foreclosure proceeding. We have issued a bulletin addressing new underwriting guidelines relating to foreclosed properties as a result of the various moratoriums. The bulletin can be viewed at the following link: <https://www.virtualunderwriter.com/en/bulletins/2020-3/ma2020003.html>

Please contact one of our underwriters prior to insuring any property where title is derived from a foreclosure which was commenced or completed on or after March 1, 2020.

In addition, although it may not directly apply to insurability of properties, you should be aware that both the federal and Massachusetts laws prohibit evictions, with limited exceptions. If your transaction involves rental property, you should review these laws prior to committing a seller to deliver the property free and clear of tenants.

- **COVID-19 AND 1031 EXCHANGES -WEBINAR TOMORROW, April 23**
We are hosting a webinar tomorrow at 10:30 AM about 1031 exchanges and the important changes to deadlines which have been extended as a result of the COVID-19. If you would like to register, please contact Aaron Monahan at aaron.monahan@stewart.com
- **OBTAINING PROBATE RECORDS FROM MIDDLESEX PROBATE COURT**
Middlesex Probate Court has established a procedure to obtain records that have been archived. The instructions provided by the Court are as follows:
Records requests from our archive location may still be made. You may email middlesexfilerequest@jud.state.ma.us. When the folders are received they will be scanned and emailed to you at the address used to make your initial request. Any fees for copies provided in this manner must be paid by permitting a credit card charge to be made by court cashier over the phone.

The complete updated protocol published by the Middlesex Probate & Family Court Operations can be viewed on our Covid-19 Resource page at: <https://www.stewart.com/content/dam/stewart/Microsites/massachusetts/pdfs/Middlesex-Probate-archive-procedures.pdf>

- ***VIRTUAL NOTARIZATION BILLS- Still Pending***
As of the writing of this update, there has been no legislation enacted allowing for remote or virtual notarization in Massachusetts. We continue to monitor and will keep you apprised of developments.
- ***STEWART'S MASSACHUSETTS COVID-19 Resource Page***
As a reminder, we've put together a resource page for you which contains all the local information relative to underwriting guidance, affidavits, registry closures and frequently asked questions. This site will be updated regularly. Access the page at the following link: <https://www.stewart.com/content/stewart/stewartcom/en/stg/massachusetts/underwriting-resources/forms-policy-information/covid-19-info-resources.html>

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