

Stewart – Massachusetts Mid-Week Update – May 20, 2020

Dear Stewart Partners,

It is hard to believe that Memorial Day weekend, the unofficial start of summer, is almost upon us. While many of us have been working from home, the anticipation of a long weekend may feel a little different this year. The traditions of Memorial Day celebrations will likely be changed or even cancelled in many places, but we hope you enjoy the long weekend as we all remember and honor those who died in active military service. As a reminder, our offices will be closed on Monday, but we will be staffed on Friday, to help you get through those “we’ve got to close before the long weekend” closings.

In terms of information we’d like to share, as all of you know, Governor Baker did announce the phased reopening of Massachusetts on Monday. (The complete report can be viewed at: <https://www.mass.gov/doc/reopening-massachusetts-may-18-2020/download>) As title attorneys and real estate settlement offices, your businesses were considered essential and could maintain operations and may continue to do so; however, with the Governor’s announcements, even essential business have certain safety compliance mandates that must be met by **May 25, 2020**. We’ve highlighted the requirements below with links to help you comply with these new requirements.

- *Massachusetts Re-Opening Plan – Safety Compliance Mandates for Essential Businesses*
 - Create a **written COVID-19 control plan**
The control plan outlines how the business/workplace will prevent the spread of COVID-19. This plan does not need to be submitted to a state agency, but it must be retained on the premises of a business and be provided in the event of an inspection. The state has provided a template which can be used to fulfill this requirement, which can be found at: <https://www.mass.gov/doc/covid-19-reopening-control-plan-template/download>
 - Post a **compliance attestation poster**
Businesses are required to **sign** a poster, attesting that the business has completed a COVID-19 control plan, which signed poster must be posted on the business premises so that it is visible to employees and visitors. The poster can be downloaded at the following link: <https://www.mass.gov/doc/compliance-attestation/download>
 - Post **rules for maintaining social distancing, hygiene protocols, cleaning and disinfecting**. This requirement includes posters for **employees** and **employers** that are to be posted in the workplace. The employer poster can be accessed here: <https://www.mass.gov/doc/employer-reopening-poster/download> and the employee/worker poster can be accessed here: <https://www.mass.gov/doc/employee-reopening-poster/download>

The state has also provided the following links which you might find useful as you prepare to meet the safety compliance requirements:

- **Detailed guide for business and mandatory safety standards for workplaces**. This guide explains in detail the social distancing requirements, hygiene protocols, staffing and operations, and cleaning and disinfecting requirements. The guide can be viewed here: <https://www.mass.gov/info-details/reopening-mandatory-safety-standards-for-workplaces>

➤ **Guidance on necessary workplace supplies to comply with safety standards.** This guide explains what supplies are needed for a business to maintain the safety compliance standards and where the hygienic and protective supplies can be purchased:

<https://www.mass.gov/info-details/reopening-purchasing-hygienic-or-protective-supplies-for-the-workplace>

- *Important Change to COMMITMENT preparation*

On March 17, 2020, when we first advised you of the underwriting requirements for Massachusetts, which were developed in response to COVID-19, Stewart required that the following requirement be added to the Commitment in Section B, Schedule 1:

“The Company reserves the right to raise any such additional exceptions and/or requirements as it deems necessary upon receipt of the details of the transaction, its review of the closing documents, and changes in recording and title searching capabilities due to closures resulting from the COVID-19 virus.”

At this time, the specific COVID-19 reference (which is highlighted) may be deleted. As such the language of the requirement has reverted to the requirement which existed prior to March 17, 2020 and COVID-19 pandemic. The requirement in any commitment going forward should now simply read:

“The Company reserves the right to raise any such additional exceptions and/or requirements as it deems necessary upon receipt of the details of the transaction, its review of the closing documents.”

- *Recorded Educational Webinars – Available Upon Request*

Did you know that you can listen to webinars you may have missed? We know that it isn't always possible to tune into the “live” education webinars the Massachusetts Underwriting team hosts throughout the year, but they are available to you in a recorded format. To obtain a copy of the recording and materials accompanying the webinar, please reach out to your Account Service Representative or to Aaron Monahan at aaron.monahan@stewart.com.

Available recordings:

- Traps for Unwary – Relying on Recorded Documents Under a Power of Attorney (presented on: 10/17/18)
- What's the Big Deal it's Just an Acknowledgement (presented on: 11/14/18)
- Is my Discharge Good? (presented on: 4/24/19)
- Introduction to Commercial Endorsements (presented on: 5/15/19)
- Introduction to Commercial Endorsements II (presented on: 12/11/19)
- Taking Title Out of Probate I (presented on: 6/12/19)
- Taking Title Out of Probate II (presented on: 10/2/19)
- Navigating Your Way Through Virtual Underwriter (presented on: 11/6/19)
- Title Traps with Trusts (presented on: 3/4/20)
- Claims Avoidance (presented on: 4/9/2020)
- Virtual Notarization in Massachusetts – What You Should Know (presented on: 5/6/2020)
- Homestead Basics (presented on: 5/13/2020)

- *Recently Issued Stewart Bulletins*
 - [MA2020006](#) – UNDERWRITING - Permissible Methods of Notarization for Massachusetts Transactions
 - [MA2020005](#) – UNDERWRITING - Suspension of Deadlines and Extensions of Statutes of Limitations
 - [MA2020004](#) – UNDERWRITING - Virtual Notarization
 - [MA2020003](#) – UNDERWRITING - Special Bulletin Regarding Moratorium on Evictions and Foreclosures

- *Stewart's Massachusetts COVID-19 Resource Page*
Please view our resource page which contains all the local information relative to underwriting guidance, affidavits, registry closures and frequently asked questions. This site will be updated regularly. To access click [HERE](#) and make it a favorite on your web-browser. You can also copy the following URL and paste it into your web browser: <https://www.stewart.com/content/stewart/stewartcom/en/stg/massachusetts/underwriting-resources/forms-policy-information/covid-19-info-resources.html>

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