

Stewart – Massachusetts Mid-Week Update – December 30, 2020

Dear Stewart Partners,

This is our 40th Mid-Week update and our last for 2020. As you know, this update began as a way to provide you regular and timely updates of important news affecting your practice in the early months of the pandemic. As the months went on and the issuance of “emergency legislation” simmered down, we continued the weekly update as a way to provide you news and information about the real estate market, cyber-security risks, recently issued underwriting bulletins, upcoming webinars and relevant case law. We hope you’ve found the information helpful and we’ll continue in 2021.

In our last update of the year we wanted to share with you an important decision relative to MassHealth claims, some predictions for 2021, and remind you to sign up for our January webinar. Happy New Year!

- *MassHealth Probate Claim – In the Matter of the Estate of Jacqueline Ann Kendall, 486 Mass. 522 (2020).*

Earlier this week, the Supreme Judicial Court answered an important question relative to the collectability of MassHealth claims in so-called “late and limited” probates filed more than three years after the date of death. The Court held that G.L. c. 190, s. 3-108 prohibits a personal representative appointed in a late and limited proceeding from paying any claims other than claims for expenses of administration, including MassHealth claims. It further held that MassHealth is prohibited from filing a notice of claim in a late and limited proceeding. The decision is an important one from a title insurance perspective as it makes clear that in circumstances where a “late and limited” petition is filed to clear a missing interest in the back chain, the risk of needing to address MassHealth claims is eliminated. To read the full decision, follow this link: <https://www.mass.gov/files/documents/2020/12/28/g12881.pdf>

- *Predictions for the 2021 Real Estate Market*

Money published an article about its 2021 Real Estate predictions, including mortgage interest rates, housing pricing, and Biden’s impact on the industry. To read the full article, follow this link: <https://money.com/2021-real-estate-trends-expert-predictions/>

- *January 13th Webinar – From Phishing to Wire Fraud, A Conversation with the US Secret Service*

Join us on January 13, 2021 at 10 AM for this important webinar. Tom Cronkright, CEO of CertifID, along with a U.S. Secret Service Agent who specializes in financial crimes, will discuss the latest phishing tactics, the growth of business email compromise, and measures to lower your risk in 2021. This is an exclusive event for Stewart agents. Topics will include:

- Recent phishing strategies, including email and spoofed websites
- How COVID has impacted business email compromise and the ability to divert wire transfers
- 2020 fraud trends - year in review
- Strategies for aligning people, process and technology to lower your risk of business email compromise and wire fraud for your company and customers

To register for the webinar, follow this

link: https://us02web.zoom.us/webinar/register/WN_0cYZGH6vTAiZHcsl0sqigg

After registering, you will receive a confirmation email containing information about joining the webinar.

If you have questions or need additional information, please contact Laurie Goodwin, Agency Support Coordinator at Laurie.Goodwin@Stewart.com or (781) 697-3332.

- [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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