

Dear Stewart Partners,

We hope you all had a relaxing, albeit somewhat rainy, long holiday weekend. In this week's update we wanted to alert you to the extension of the various federal foreclosure moratoriums. In addition, we've linked a recently recorded webinar presented by Attom Data. The presenters discuss the mid-year housing market and look at key housing market indicators to explore what the future may hold in the real estate market. Lastly, we are sharing a recent lower court decision relative to the tolling of statutes of limitations implemented by the Supreme Judicial Court during the pandemic. Although the case is a lower court decision and deals with the deadline on a procedural filing, it is a good reminder to be extra cautious when analyzing the effect of liens on title.

- *Foreclosure Moratoriums Extended*

The Department of Housing and Urban Development (HUD), the FHFA, the Department of Veterans Affairs, and the Department of Agriculture have all extended their foreclosure moratoriums through July 31, 2021. In certain circumstances a foreclosure may proceed, however, we ask that you contact your Stewart underwriter to confirm that an exception applies and the evidence documenting the exception is adequate for insurability purposes. To read the press releases from the various agencies, follow the following links:

FHFA: <https://www.fhfa.gov/Media/PublicAffairs/Pages/FHFA-Extends-COVID-19-Foreclosure-and-REO-Eviction-Moratoriums.aspx>

Fannie Mae: <https://singlefamily.fanniemae.com/media/24891/display>

Freddie Mac: [https://guide.freddiemac.com/ci/okcsFattach/get/1008208\\_7](https://guide.freddiemac.com/ci/okcsFattach/get/1008208_7)

HUD: <https://www.hud.gov/sites/dfiles/OCHCO/documents/2021-15hsgml.pdf>

Veterans Affairs: [https://benefits.va.gov/HOMELOANS/documents/circulars/26\\_21\\_10.pdf](https://benefits.va.gov/HOMELOANS/documents/circulars/26_21_10.pdf)

USDA: <https://www.usda.gov/media/press-releases/2021/06/24/biden-harris-administration-extends-foreclosure-moratorium-provide>

- *Mid-Year Housing Market Outlook – Recorded Webinar Presented by Attom Data Solutions*

In this recorded webinar, presenters from Attom Data Solutions and Altos Research discuss key housing market indicators and how these may impact the future of the real estate market. The webinar dives into year to date analysis of home prices, the distressed real estate market, the availability of inventory, and interest rates. To view the webinar follow this link (once there, scroll to the bottom of the page): <https://www.attomdata.com/solutions/market-trends-data/>

- *Tolling of Statutes of Limitations and Deadlines During Covid*

In a recent decision out of the Suffolk Superior Court, the judge evaluated the impact of the Supreme Judicial Court orders relative to the tolling of deadlines and statutes of limitations. The plaintiff was seeking to pursue her case, notwithstanding that her first complaint had been dismissed without prejudice. The defendant argued that the claims giving rise to the cause of

action occurred more than four years ago and are now time barred under the applicable statute of limitations. The plaintiff argued that G.L. c. 260, section 32 (the so-called saving statute) allowed her to re-file her action one year after the initial dismissal without prejudice because it was not a resolution on the merits. She argued because the 1-year filing deadline expired during the COVID pandemic, the SJC's order, which broadly tolled deadlines, permitted her to file the complaint beyond the 1 year period. The court agreed with the plaintiff. In the judge's analysis, he pointed to the fact that the SJC's order explicitly explained how deadlines would be calculated. Specifically, one needed to determine how many days remained under the relevant deadline when the order went into effect on March 17, 2020, and that amount of days would be added at the expiration of the tolling period on July 1, 2020, creating the new deadline. In the plaintiff's case, 76 days remained as of March 17, 2020 and as her new complaint was filed on the 76<sup>th</sup> day, the filing was timely.

As you may remember, in an earlier Mid-week Update, we reported about a personal injury case that involved the timeliness of the suit in light of the tolling order entered by the SJC. This case was argued before the Supreme Judicial Court in April of this year. The case is Shaw's Supermarket v. Melendez, SJC 13054. The matter is currently under advisement.

As always, if you have any questions about the expiration of a lien on title, please contact your Stewart underwriter.

- [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>

**Stewart Title Guaranty Company - Massachusetts**

200 5<sup>th</sup> Avenue, Suite 301, Waltham, MA 02451 Phone: 800-628-2988 Fax: 781-697-3336

Monarch Place - 1414 Main Street, Suite 1835, Springfield, MA 01144 Phone: 413-930-8090 Fax: 978-964-0565

**Tiziano Doto**, Agency Services Manager - [tiziano.doto@stewart.com](mailto:tiziano.doto@stewart.com)

**Jutta R. Deeney**, VP, State Counsel - [jutta.deeney@stewart.com](mailto:jutta.deeney@stewart.com)

**Shannon Coleman**, Underwriting Counsel - [scoleman@stewart.com](mailto:scoleman@stewart.com)

**Christine Provost**, Associate Senior Underwriting Counsel - [christine.provost@stewart.com](mailto:christine.provost@stewart.com)

**Tracie Kester**, Underwriting Counsel - [tracie.kester@stewart.com](mailto:tracie.kester@stewart.com)

**Paula M. Cuculo**, Underwriting Counsel - [paula.cucoulo@stewart.com](mailto:paula.cucoulo@stewart.com)

**General MA Underwriting Mailbox** - [massuwing@stewart.com](mailto:massuwing@stewart.com)

**Tracy Hawkins**, Agency Sales Representative Sr. - [tracy.hawkins@stewart.com](mailto:tracy.hawkins@stewart.com)

**Rita Kelly-Parsley**, Agency Sales Representative Sr. - [rita.kelly-parsley@stewart.com](mailto:rita.kelly-parsley@stewart.com)

**Tom Potito**, Agency Sales Representative Sr. - [tom.potito@stewart.com](mailto:tom.potito@stewart.com)

**Mary Blomerth**, Agency Sales Representative Sr. - [mary.blomerth@stewart.com](mailto:mary.blomerth@stewart.com)

**Lyslie A. DeMeo**, Agency Sales Representative, Sr. - [ldemeo@stewart.com](mailto:ldemeo@stewart.com)