

NELTA NEWS

New England Land Title Association, Inc.
The Title Industry's Premier Resource for
Education, Information and Networking



Fall 2020
Volume 53, Number 2



In This Issue:
NELTA Member Updates & Pictures
Life During The Pandemic
NELTA's 50th Anniversary AGAIN - The LIVE Version!
Gurney's, Newport, Rhode Island
2020 New England Legislative Updates
The Latest News From ALTA



*NELTA'S 50th
Anniversary AGAIN
The LIVE Version!
June 19, 2021*

*NELTA will be celebrating fifty years
as your premier resource for
Education, Information and Networking
throughout New England.*

*We have so many members who are responsible
for our success over the years.*

*To all of the people who have served on our Board of
Directors, Past Presidents, Speakers, NELTA NEWS
contributors, Vendors, and all the Underwriters who
continue to support the efforts of NELTA, thank you!*

*We hope you and your family
will plan to join us for this special celebration
June 17 - 20, 2021*

*At the luxurious waterfront property
Gurney's Newport, in Newport, RI*

*This will be a wonderful opportunity to reconnect with
friends and colleagues who have made NELTA the
vibrant association it continues to be today.*

NELTA BOARD OF DIRECTORS

President

Barbara C. Smith
Fidelity National Title Insurance Co.
East Hartford, CT

First Vice President

Laura Wild
First American Title Insurance Co.
Warwick, RI

Second Vice President

Diane Monahan
Stewart Title Guaranty Co.
Bedford, NH

Treasurer

Lisa Vesperman Still
WFG National Title Insurance Co.
Braintree, MA

Secretary

Robert Sylvester
Old Republic National Title Insurance Co.
Fairfield, CT

Director (Regular)

Linda Rekas-Sloan
Fidelity National Title Group
Providence, RI

Director (Regular)

Katie Button
Fidelity National Title Insurance Co.
Bedford, NH

Director (Regular)

Kevin A. Atwood
Westcor Land Title Insurance Co.
Norton, MA

Director (Associate)

Richard J. Meehan
Meehan and Goodin
Manchester, CT

Director (Associate)

Steven B. Edelstein
Cross Country Mortgage
Wakefield, MA

Director (Associate)

Shelly B. Rainen
Rainen Law Office, P.C.
North Andover, MA

Director (Associate)

Lawrence P. Heffernan
Robinson & Cole LLP
Boston, MA

Immediate Past President

Richard A. Hogan
CATIC
Rocky Hill, CT

NELTA NEWS is published semi-annually for the members of New England Land Title Association, Inc. For information write or call: Cathy L. Jones, Executive Director, P.O. Box 743, Norwalk, CT 06852-0743, (203) 847-6885. Email: nelta.org@gmail.com Website: www.nelta.org

Anyone is invited to contribute articles and photographs concerning title issues. The Association reserves the right to edit all material submitted. All opinions expressed herein represent the views of the authors and are not necessarily those of the Association. NELTA NEWS and NELTA, Inc. disclaim any responsibility for views expressed or statements made in any articles.

In This Issue

Fall 2020

Volume 53, Number 2

- 4 President's Message - Barbara A. Smith
- 7-9 NELTA Member Updates & Pictures
Life During The Pandemic
- 10 Welcome New Members!
- 12 More Member Updates & Pictures
- 14-16 2020-2021 NELTA Board of Directors
- 18-20 The Latest News From ALTA
- 21-26 2020 Legislative Updates
- 27 Gurney's Newport Information
- 28 NELTA Membership Directory Ad Info
- 29 Application for NELTA Membership

Our Advertisers Are Important To Us Our Sincere Thanks To:

ASK Land Title Services

SoftPro

TrustLink

FasTrax

PayOff Assist

Redniss & Mead and Ryan and Faulds

Hancock Associates

President's Message

Barbara A. Smith

NETWORKING AND COMMUNICATION: MORE IMPORTANT THAN EVER



Our industry is in the midst of a complete sea change. Even though residential refinances and corporate restructuring has kept us busier than ever this spring and summer, we all know we are looking at a very different landscape in the future. When a vaccine is available and we can finally take off our masks and feel comfortable getting on an elevator, what will our industry be like?

We have learned that conducting closings does not require face to face contact, the sharing of pens, or handshakes across a table. Performing a title search does not require saying hello to the clerk on the way into a crowded vault, and passing the Grantor Index to the next searcher waiting for it. We know that maps can be reduced to pdf format, and we are able to blow them up and look at them on a screen, instead of a nice, big sheet of paper. (I miss those nice, big sheets of paper, though!)

These changes, which have been required because of COVID, are not necessarily bad. In many cases, they save time and are economically efficient. It is likely many of these practices are here to stay. In the future, it may be that a lot of us will have little or no face to face interaction with others during a typical work day.

For this reason, now more than ever, it is necessary for us to improve our communication skills, and rely even more on networking with other members of our industry. I can think of no better way to do this than to become involved with NELTA, and encourage others to do so. I look forward to working with the NELTA Board of Directors and all members over the next year as we focus on communicating, educating and networking in “the new normal.”

Looking at the title industry in New England, I see four good areas for growth and improvement:

1. As a result of land records vaults being closed to the public, online land records are more accessible than ever before. We now know without question, that the technology exists to conduct full title searches online. Going forward, this should be the rule rather than the exception. It is safer, more efficient, and cheaper. Let's try to get all land records online!

2. The same is true for electronic recordings, which reduce travel time and costs. We need to continue to increase the use of e-recording, and expand its availability to counties and towns that do not have it.

3. In an effort to keep our economy moving forward, governors in all of the New England states have issued temporary orders to make closing a title easier and safer. These include remote online notarization and lifting witness requirements. We need to determine whether this is something we can live with going forward, when the emergency is over.

4. Working from home (and outside of our comfort zones) has required all of us to learn new applications and software. I find the best way to learn is not necessarily through the training that comes with the program, but through interacting with colleagues who are using the program and facing the same challenges.

These areas, and more, will be some of our focus in the coming year. Thanks to the diligent effort of Cathy Jones and the past leaders of NELTA, we have a great, strong structure in place to absorb this change in our industry. I encourage you to become more active in our organization, and encourage others to as well. Membership in NELTA provides up-to-date and continuing education for the title industry, as well as an opportunity to meet and work with others involved in the industry.

I hope to see you, in person or on the screen, at the next NELTA function!

Best wishes,

Barbara J. J. L.



Harbourside SONO



The Berkeley at Waypointe

Enhancing properties and communities through exceptional land use services.

**REDNISS
& MEAD**

LAND SURVEYING
CIVIL ENGINEERING
PLANNING & ZONING CONSULTING
PERMITTING

Ryan and Faulds
LAND SURVEYORS | A Redniss & Mead Company

203.327.0500 | www.rednissmead.com

Make the Right Call. Get the Right Results.



Non-compliance can disrupt operations and end careers. Rely on experts to help you stay current on compliance requirements and set you up for the audit results you need.

We have the knowledge, experience and resources to prepare you. We've been doing this for 40 years and have serviced over \$34 trillion in transaction dollars.

We are the premier trust accounting service. You can relax. We'll get you ready.



TrustLink™
You're ready.

trustlink.sales@firstam.com
800.767.7833
www.trustlinkservices.com

TrustLink, a division of First American Professional Real Estate Services, Inc., makes no express or implied warranty respecting the information presented and assume no responsibility for errors or omissions. TrustLink is a trademark of First American Financial Corporation and/or its affiliates.

©2020 First American Financial Corporation and/or its affiliates. All rights reserved. NYSE:FAF

NELTA Member Updates & Pictures

Life During The Pandemic

Cathy L. Jones

While sending out emails requesting updates and pictures from all our members in August and early September, I received many “Away on vacation” messages. These messages made me feel like our members were actually enjoying life during this Pandemic and hopefully, safely having fun with their families and friends.

Whether you were on a staycation, venturing out exploring those familiar favorite places or parts unknown, I hope you, your family members and colleagues remained safe and well.

I heard from a number of our members who sent in pictures and updates on their summer fun and wanted to share them with you.



Josh Luksberg writes:

“This was not at the Equinox unfortunately, it was at Nauset Beach on the cape, another NELTA favorite locale. My daughter really missed celebrating her birthday with her NELTA besties!”



Jim Czapiga - “I spent much of this past spring making sure the CATIC employees were kept safe and able to continue to work remotely during these crazy times. I was also able to grow my hair to the longest it’s been since high school and do some fishing in VT. A silver lining!”



Danielle Long - “The Longs have been living on top of each other (for better or worse!) working from home, enjoying lots of beach, sun, friends, and sports this summer!”



Rich Hogan - "We spent a week in Orleans and spent a ton of time on the beach with our son Zach and also visited the Beachcomber in Wellfleet. All good."

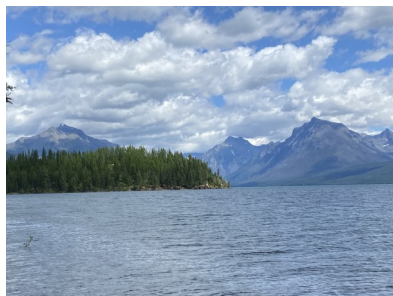
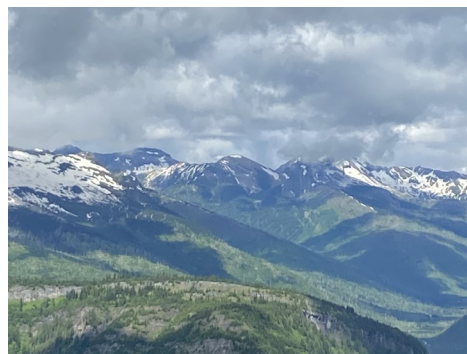
Rich also told me, No sharks this year thankfully!



Joel Mandell writes: "Joel Mandell was Nelta's President 2009-2010 and retired In 2010 from CATIC. Joel and his wife Ellen have lived in Indian Land, South Carolina since 2010. We live in a Del Webb active adult community. Because of COVID-19 our main activity is doing jigsaw puzzles! Attached is the one we did of Fenway Park. For the record we attended 35 annual NELTA Conventions." I told Joel, "I think that IS a record!"



Kevin Atwood - "Photos of our family trip to Glacier National in July. What a beautiful area...a must see!"





Roberta Baker - “Well, we have been enjoying the quiet life in Peru and baking alot. We also keep an eye on our pet woodchucks. It is not bad being trapped with the best chef in Vermont or from Argentina. Greetings to all. We were very disappointed to miss everyone at the Equinox right here in our own backyard. Stay safe and healthy. This too shall pass. Sorry-left out the woodchuck-the star of the show and the fact I am expecting a grandson in Nov.”



Lisa Vesperman Still - “What I did during my Summer “vacation” (HA what vacation??!!) - I’ve been walking, walking and walking, and more walking (and some running tossed into the mix for fun)! I’ve been participating in virtual walking and running challenges since the beginning of May and so far I have walked/ran over 370 miles and will have completed 400 by the end of August. Exploring places in my “back yard” that I’ve never been to before and happening upon Land Court bounds. Moving the WFG offices from Franklin to our fabulous new offices in Braintree. Exciting times indeed!”

Derek Massey - The First American Massachusetts team has missed seeing each other as much as we’d like, but we’ve been communicating as much if not more than ever! Where the Boston office lunch table used to be a time to socialize and talk about life outside of work, we’ve had to pivot to Zoom happy hours. We look forward to seeing each other – and our great agents – hopefully sooner rather than later!





Welcome New Members!

NELTA proudly welcomes its newest members and sincerely thanks those members responsible for their recruitment

Mimi Bolden
Qualia
201 Mission St., Suite 1800
San Francisco, CA 94105
832-882-8098
Mimi.bolden@qualia.com

Jon Garcia
SnapClose
Austin, TX
jgarcia@snapclose.com

Alison Maloney
SnapClose
47 W. River Road, Suite A
Rumson, NJ 07760
908-902-9444
amaloney@snapclose.com

April Wilmar, Esquire, Partner
Bernkopf Goodman LLP
Two Sasport Lane
Boston, MA 02210
617-790-3000
awilmar@bg-llp.com

Erin R. Loomis, Account Executive
Compass Title and Closing, Inc.
900 Hanover Street
Manchester, NH 03104
978-604-2125
eloomis@compasstitlenh.com

Experts in ALTA/NSPS Land Title Surveys,
condominium plans and land court surveys.

HANCOCK ASSOCIATES

Seven convenient offices to better serve our clients.

Boston, Chelmsford, Danvers, Marlborough, Newburyport and Princeton, MA | Concord, NH
(978) 777-3050 | HancockAssociates.com | Established 1978

SOFTPRO SAVED YOU A SEAT

FREE WEBINAR SERIES



JOIN US to hear more on industry updates, technology trends, role-related tips, and more!

Take a look at some of our past featured episode topics:

- » Remote Online Notarization
- » Living and Working Remotely
- » Tips, Tricks & Tools for SoftPro Software
- » Don't Social Distance Your Marketing!
- » SoftPro Select Secrets to Success & **MORE!**

REGISTER NOW: softprocorp.com/saved-you-a-seat



800-848-0143

sales@softprocorp.com

www.softprocorp.com



Barbara Smith - "I cannot tell you how crazy work has been. I do not ever remember a time like this – even the dreaded last two weeks of the year! Here are two pictures I think sum up these last 6 months for me. My first grandchild, Everly, arrived right at the start of the pandemic. She is a happy, healthy and almost six month old baby, thank goodness."



Cathy Jones - It's been a busy summer. In June my son Ryan and I went to the Cape for a quick get-away. I spent 8 days in CA visiting my 94 year old mom, brother & sister in July. I picked up golf again - It's been so much fun getting outdoors and meeting some great new friends. Sailing with my friend Lenny on his gorgeous Bull's Eye.



*Steven,
Thank You
For Your
Friendship
And
Generosity!*



FASTRAX™ KEEPS YOUR BUSINESS RUNNING SMOOTHLY

Let FasTrax™ manage the complete process of clearing liens from title. Whether you need a previously paid off lien cleared or a Release tracked and recorded for a current payoff, we can help!



800.767.7832 x1362 | www.smsfastrax.com | FasTrax.info@firstam.com

FasTrax, a division of First American Professional Real Estate Services, Inc., makes no express or implied warranty respecting the information presented and assumes no responsibility for errors or omissions. FasTrax is a trademark of First American Financial Corporation and/or its affiliates. ©2020 First American Financial Corporation and/or its affiliates. All rights reserved. NYSE:FAF

2020-2021 NELTA Board of Directors

President

Barbara C. Smith
Fidelity National Title Insurance Co.
111 Founders Plaza, Suite 1403
East Hartford, CT 06108
Phone: 860-290-5385
Fax: 860-528-7847
Email: barbaracsmith@fnf.com



First Vice President

Laura Wild
First American Title Insurance Co.
Metro East Office Park,
117 Metro Center Blvd., Suite 1005
Warwick, RI 02886
Phone: 401-434-1000
Fax: 401-812-7600
Email: lwild@firstam.com



Second Vice President

Diane Monahan
Stewart Title Guaranty Company
165A South River Road
Bedford, NH 03110
Phone: 603-472-1091
Fax: 844-325-0499
Email: diane.monahan@stewart.com



Treasurer

Lisa Vesperman Still
WFG National Title Insurance Co.
50 Braintree Hill Office Park, Suite 107
Braintree, MA 02184
Phone: 781-587-0172 x3907
Email: lstill@wfgnationaltitle.com



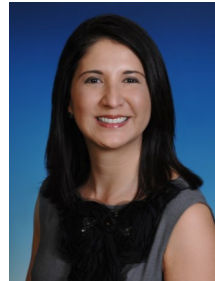
Secretary

Robert Sylvester
Old Republic National Title Insurance Co.
One Post Road, 2nd Floor
Fairfield, CT 06824
Phone: 203-256-1510
Fax: 800-451-8597
Email: rsylvester@oldrepublictitle.com



Director (Regular)

Linda Rekas-Sloan
Fidelity National Title Group
One State Street, Suite 600
Providence, RI 02908
Phone: 401-450-3727
Fax: 401-450-3808
Email: linda.rekas-sloan@fnf.com



Director (Regular)

Katie Button
Fidelity National Title Insurance Co.
2 Bedford Farms Drive
Bedford, NH 03110
Phone: 603-641-0200
Email: katie.button@fnf.com



Director (Regular)

Kevin A. Atwood
Westcor Land Title Insurance Co.
246 East Main Street, Unit 2A
Norton, MA 02766
Cell: 774-265-2504
Email: kevin.atwood@wltic.com



Director (Associate) Surveyor Section

Richard J. Meehan
Meehan and Goodin
387 North Main Street
Manchester, CT 06040
Phone: 860-643-2520
Fax: 860-649-8806
Email: rmeehan@meehangoodin.com



Director (Associate) Real Estate Attorney Section

Lawrence P. Heffernan
Robinson & Cole LLP
One Boston Place
Boston, MA 02108
Phone: 617-557-5900
Fax: 617-557-5999
Email: lheffernan@rc.com



Director (Associate) Lender Section

Steven B. Edelstein
Cross Country Mortgage
2 Pleasure Island Road
Wakefield, MA 01880
Phone: 855-465-7910
Email: steven.edelstein@myccmortgage.com



Director (Associate) Abstractor Section

Shelly B. Rainen
Rainen Law Office, P.C.
231 Sutton Street, Unit 2E
North Andover, MA 01845
Phone: 978-975-4144
Fax: 978-975-4149
Email: srainen@rainenlaw.com



Immediate Past President

Richard A. Hogan
CATIC
101 Corporate Place
Rocky Hill, CT 06067
Phone: 860-257-0606
Fax: 860-563-4833
Email: rhogan@catcic.com



HERE'S OUR EMAIL ADDRESS

DO WE HAVE YOURS?

Nelta.org@gmail.com



If we do not have your correct email address you are missing out on important industry news, NELTA programs and seminars.

Please email your updated information to nelta.org@gmail.com.



payoffassist.com[®]
online directory

WE MAKE FINDING LENDERS QUICK AND SIMPLE

Instantly connect with lien holder successors
using our extensive database. Search
thousands of lender records in seconds! Easy.

800.345.0203

www.payoffassist.com

poa.info@payoffassist.com

PayoffAssist.com, a division of First American Professional Real Estate Services, Inc., makes no express or implied warranty respecting the information presented and assumes no responsibility for errors or omissions. PayoffAssist.com is a registered trademark of First American Financial Corporation and/or its affiliates.

©2020 First American Financial Corporation and/or its affiliates. All rights reserved. NYSE:FAF



NELTA...

Your ALTA Connection



American Land Title Association Reports Title Insurance Premium Volume Up 8 Percent

September 10, 2020 — The title insurance industry generated \$4.18 billion in title insurance premiums during the second quarter of 2020, according to [ALTA's latest Market Share Analysis](#). Title premium volume is up 8.0 percent compared with the same period a year ago.

"Despite the pandemic, low interest rates in the second quarter of 2020 has been positive and productive for the land title insurance industry. Title insurance premium volume is dependent on mortgage origination volume, and 45 states showed that second-quarter premiums written increased 8 percent compared with the second quarter of 2019," said Diane Tomb, ALTA's chief executive officer. "Although we are not experiencing the near-historic origination volume we saw in the first quarter, the majority of the country is still trending upward."

Overall, total operating income for the industry was up 8.2 percent and operating expenses were up 8.4 percent, but loss and loss adjustment expenses were down 27 percent.

"We expect residential housing market and refinances—buoyed by low mortgage rates—to remain strong throughout the year," Tomb said. "The question left outstanding is how the commercial market will rebound. Depending on how the commercial market performs during the rest of the year, 2020 could prove to be one of the strongest years on record."

Contact ALTA at 202-296-3671 or communications@alta.org.

American Land Title Association Develops Principles for Remote Notarization

The American Land Title Association (ALTA), the national trade association of the land title insurance industry, announced it has developed principles for notarizations conducted remotely.

The principles outline guidelines to give consumers digital technology options for notarizations that incorporate safeguards to reduce fraud and protect property rights of consumers. In addition, the principles say any remote notarization must meet certain criteria to provide confidence in the transfer of real estate.

"The American Land Title Association and its members have been at the forefront in developing standards for digital closing options that have the appropriate safeguards and authentication process to protect consumers while ensuring the notarizations provide certainty and effective constructive notice under state law," said Diane Tomb, ALTA's chief executive officer. "Due to the COVID-19 health crisis, the need for digital transactions and use of remote notarizations has increased. We believe our principles provide a strong foundation for the use of various types of remote notarizations going forward."

Tell Our Story: Don't Be Taken for Granted

In an op-ed for [The Wall Street Journal](#), economist Hernando de Soto shared how the many roles of the land title industry may be taken for granted, but consistently proves its value to the bedrock of the American economy:

“... Because their titles need a chain of certifications issued by escrow and closings organizations, trust services, title and fidelity insurance firms, originators, underwriters, securitizers and other agencies. This process is so ingrained in American society that it is taken for granted, and the purpose is all but forgotten. Link by link, these certifications reinforce and expand the rights contained in local titles to do two things: include safeguards that financial markets require to prevent fraud; and allow titleholders to own not only the value of resources in their passive state but also the added value of the enterprises that develop them, which can be circulated through an economy in the form of stock.” - [Hernando de Soto, Economist](#)

Each and every member of the land title industry plays an essential role in protecting the American dream. Please join us in telling our story and [share with your networks!](#)

Here are three different options you can use on social media:

Option One

As a member of the land title industry, I am proud to protect the American dream. In this WSJ article, economist Hernando de Soto shares how the industry may be taken for granted, but continues to prove its value to the American economy. Read more here: https://www.wsj.com/articles/how-to-beat-china-and-help-the-worlds-poor-11597167742?mod=hp_opin_pos_3

Option Two

Economist Hernando de Soto shares how the land title industry may be taken for granted but continues to contribute to the cornerstone of the American economy. Read more here: https://www.wsj.com/articles/how-to-beat-china-and-help-the-worlds-poor-11597167742?mod=hp_opin_pos_3

Option Three

I'm proud to be a part of an industry that is committed to protecting communities. In this WSJ article, economist Hernando de Soto shares how the land title industry may be taken for granted, but consistently protects our economy. Read more here: https://www.wsj.com/articles/how-to-beat-china-and-help-the-worlds-poor-11597167742?mod=hp_opin_pos_3

Video

You can also [share this video](#) with your post. The video highlights how title professionals strengthen families, neighborhoods and communities by protecting property rights.

Contact ALTA at 202-296-3671 or communications@alta.org.



**Virtual ALTA ONE Registration
is NOW OPEN!**

WHEN? October 6-8, 2020

**WHERE? From Couches
To Conference Rooms!**

Discover at ALTA ONE

The land title industry has adapted to massive change for nearly half a century. The change presented in 2020 is perhaps the most abrupt and community-affecting business alteration in our lifetime. We've evolved. We've social distanced. We've grown. We've reflected. It's time to persevere and **discover** new ways to grow your business.

Discover brings ALTA ONE to the front lines of your office in a way you've never experienced. You've always relied on ALTA ONE to inspire your business and why should this year be any different? ALTA ONE is the one place to receive the best industry updates and forecasts for the future.

From *couches to conferences rooms*, ALTA ONE will be the experience you need to **discover** ways to advance your business, sharpen your skills and empower your team.

ALTA Member Full Virtual Conference Access

(Membership status will be verified) \$449.00

Non-Member Full Virtual Conference Access

*(all non-member rates include **ALTA Membership** through the end of 2020. Membership begins once registration has been processed.)* \$500.00

How to Register: Go to www.alta.org to register online for ALTA ONE, October 6 – 8, 2020. The system will prompt you for your ALTA username and password. This step is required regardless of membership status with ALTA.

For additional questions or inquiries, email meetings@alta.org.



NEW ENGLAND LEGISLATIVE UPDATES



2020 Legislative Update Connecticut

Colleen Lindroos, Legal Publications Manager
CATIC, Rocky Hill, CT

Unfortunately, there is nothing to report on! The General Assembly in Connecticut adjourned in mid-March due to the pandemic, and during special session they dealt with only a few issues, like absentee voting and police accountability. No new Real Estate related bills.

IMPORTANT!

Title Action Network Needs Your Voice.

The Title Action Network (TAN) is a voluntary and free nationwide grassroots network of title insurance, abstract and real estate settlement services professionals, affiliated with the American Land Title Association (ALTA). TAN is dedicated to strengthening the industry's voice and advocacy power in your state capital and in Washington, D.C.

It's SO Easy to become a TAN Member and have your voice heard. And It's FREE! Once you become a TAN member, which takes only 90 seconds to join, when important issues arise, ALTA will notify you via email and with a couple of clicks, your message will be sent directly to your member(s) of congress. It's that easy.

**Please Become a New England Land Title Association
TAN Member TODAY!**

www.titleactionnetwork.com



2020 Maine Legislative Update 129th Maine Legislature/Second Regular Session

Robin Watts, Maine State Counsel
First American Title Insurance Company
707 Sable Oaks Road, Suite 370, South Portland, Maine 04106
207-774-6884/rdwatts@firstam.com



NOTE: Unless otherwise stated below, the Effective Date for General Non-Emergency Laws passed during the Second Regular Session of the 129th Maine Legislature was June 16, 2020.

CHAPTER 561 (LD 1054) – An Act to Clarify the Use of Burying Grounds and Family Burying Grounds

This law adds descendants of veterans buried in ancient burying grounds to the list of entities and persons with whom a municipality collaborates when keeping veterans' graves in ancient burying grounds in good condition. This law clarifies that a caretaker designated by a municipality, but not a caretaker designated by a county, must be designated pursuant to a writing signed by the municipal officers. This law changes the definition of "ancient burying ground." It also permits the existence of an ancient burying ground to be documented through a variety of records or through physical evidence.

[LINK TO TEXT OF CHAPTER 561:](#)

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0777&item=4&snum=129>

CHAPTER 571 (LD 1864) – An Act to Correct the Maine Revised Unclaimed Property Act to Reflect Recent Changes

This law amends the Maine Revised Unclaimed Property Act, which was enacted during the First Regular Session of the 129th Maine Legislature and became effective September 19, 2019. This amendment to the law clarifies the procedure for disposing of funds presumed abandoned in a lawyer's trust account. This law was passed with an emergency clause, so it took effect when approved (2-27-20).

[LINK TO TEXT OF CHAPTER 571:](#)

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1335&item=3&snum=129>

CHAPTER 598 (LD 1863) – An Act to Amend the Maine Uniform Probate Code

This law makes several amendments to the Maine Uniform Probate Code, which originally became effective September 1, 2019. Of note, are two changes to the Maine Uniform Power of Attorney Act, which is a part of the Maine Uniform Probate Code. This law amends Title 18-C, section 5-906, subsection 5 of the Maine Uniform Power of Attorney Act. Section 5-906, subsection 5 validates a durable power of attorney executed in Maine 2 years after execution if the notices to principal and agent are included but incomplete or defective. The amendment clarifies that this validation provision also applies to powers of attorney executed before September 1, 2019 under the former Title 18-A, section 5-905, subsection (b). In addition, this law amends Title 18-C, section 5-931 to clarify that the authority of an agent under a power of attorney to create or change a beneficiary designation includes the authority to create, change or revoke a transfer on death deed. As the Maine Uniform Power of Attorney Act formerly read, there was ambiguity as to whether an agent under a power of attorney had the authority to create, change or revoke a transfer on death deed. There are several powers that an agent may exercise only if the authority to exercise the power is expressly granted in the power of attorney, including the power to create or change a beneficiary designation. A transfer on death deed is a type of beneficiary designation. So, the law was amended to make it clear that an agent who has the authority to create or change a beneficiary designation also has the authority to create, change or revoke a transfer on death deed.

[LINK TO TEXT OF CHAPTER 598:](#)

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1334&item=3&snum=129>

CHAPTER 622 (LD 1053) – An Act to Reduce the Duration of Execution Liens

This law provides that an execution lien created on or after September 1, 2020, for any underlying judgment, expires at the end of 10 years unless it is renewed before the expiration of the 10-year period. The renewal period is also 10 years. The lien can be renewed once. This law also provides that the current law, which provides for a 20-year duration and a 20-year renewal period, applies only to liens created before September 1, 2020.

[LINK TO TEXT OF CHAPTER 622:](#)

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0776&item=3&snum=129>

Find the full text of these new laws at www.mainelegislature.org (search by LD number). Select "Bill Text and Other Docs." Then scroll to the bottom of the screen to locate the final Public Chaptered Law.



2020 Legislative Update Massachusetts

Lisa Vesperman Still, Esq.
V.P., New England Regional Counsel
WFG National Title Insurance Company



As the Massachusetts General Court starts to finish up the second year of its two-year legislative cycle, as we can all imagine, COVID-19 put the brakes on many legislative initiatives which were to be taken up by the legislature. Of interest to our membership, I've included one update that is not related to COVID at all, and one that is.

Amendment #269 to HB 4879 (H.4887) – *“To guarantee a tenant’s right of refusal”* aka TOPA. This version of TOPA is an amendment to the Economic Development Bill (An Act Enabling Partnerships for Growth) and allows municipalities to adopt a local option that would require owners of residential rentals to notify a Tenant Association comprised of present tenants in the building of its intention to sell, and provide the Tenant Association with an opportunity to purchase the property prior to the owner entering into an agreement to sell the property to a third party. The amendment also requires the owner, upon entering into a purchase contract with a third party to purchase the property, to submit a copy of that purchase contract to the Tenant Association along with a proposed purchase contract, essentially giving the Tenant Association a right of first refusal and a second opportunity to purchase the property. There are specific requirements for mortgagees attempting to foreclose and for those owners attempting to sell via a short sale. There are various time constraints, as well as exceptions to the applicability of the option/rofr. As currently stands, the amendment was passed by the House as part of Consolidated Amendment A to the Bill, but it was rejected by the Senate (S.2842). However, because it was passed by the House, it is still being considered and is subject to the House and Senate Conference Committee.

H.4878/S.2831 - *An Act to guarantee housing stability during the COVID-19 emergency and recovery.* This bill attempts to extend the current eviction and foreclosure moratorium which expires October 17, 2020. The bill prohibits evictions for non-payment of rent, and with respect to foreclosures on the basis of mortgage payments due and payable, prohibits 1) causing a notice of sale pursuant to MGL c. 244, §14 to be published; 2) exercising power of sale; 3) exercising a right of entry; 4) initiating judicial or non-judicial foreclosure process; or 5) filing a complaint to determine military status under SCRA, for residential properties (as defined under MGL c. 244, §35B) that are not vacant or abandoned, until 12 months after the Emergency Declaration (Executive Order 591 dated March 10, 2020) is rescinded or the end of any forbearance period granted under Chapter 65 of the Acts of 2020, and any violation would void the foreclosure. Additionally, any violation would constitute an unfair or deceptive act or practice under MGL c. 93A. The bill was reported to the Joint Committee on Housing and a hearing on the bill was held and written testimony only was taken on July 23, 2020. The current eviction and foreclosure moratorium has been the subject of judicial review, the latest being a challenge to the constitutionality of the Act in US District Court. A ruling by the US First District Court is expected soon.



2020 Legislative Update New Hampshire



New Hampshire Legislative Update
Michelle Radie-Coffin, NH & ME State Counsel
Stewart Title Guaranty Company
165A South River Road, Bedford, NH 03110
michelle.radiecoffin@stewart.com

2020 Legislative Session

**AN ACT relative to property tax relief for totally and permanently disabled veterans.
(Amends RSA 72:36-a)**

Chapter 1 of the 2020 legislative session provides that a person who is 100 percent permanently and totally disabled pursuant to federal regulations governing total and permanent disability ratings and unemployability shall be eligible for the property tax exemption under RSA 72:36-a. The Act also reorders existing eligibility criteria for the exemption. Please see the full text of the law for more details

Effective date: This act shall take effect April 1, 2020.

http://gencourt.state.nh.us/bill_status/billText.aspx?sy=2020&id=43&txtFormat=html

**AN ACT relative to procedures for condominiums with 25 or fewer residential units.
(Amends RSA 356-B:3, 37, 43.**

Chapter 3 of the 2020 legislative session establishes meetings and insurance requirements for small condominiums with 25 or fewer residential units. Please see the full text of the law for more details

Effective date: This act shall take effect April 10, 2020.

http://gencourt.state.nh.us/bill_status/billText.aspx?sy=2020&id=685&txtFormat=html

**AN ACT relative to the commission on the interdisciplinary primary care workforce;
relative to multicounty grand juries; and allowing remote notarization of paper estate
planning documents during the COVID-19 state of emergency. (Amends RSA 456-B:2,
RSA 551:2)**

Chapter 17 of the 2020 legislative session allows witnessing of a will and appearance before a notary public by remote video conference for purposes of executing estate planning documents during the COVID-19 state of emergency. Please see the full text of the law for more details

Effective date: This act shall take effect July 17, 2020.

http://gencourt.state.nh.us/bill_status/billText.aspx?sy=2020&id=1674&txtFormat=html



2020 Legislative Update Rhode Island

Carol E. Willoughby, Esquire
First American Title Insurance Co.
Concord, NH



In re William E. Paplauskas, Jr., In re Daniel S. Balkun and Balkun Title & Closing, Inc., and In re South-Coast Title and Escrow, Inc., 18-161, 162, 163 (R.I. 2020).

In 2018 three separate reports were submitted to the Rhode Island Supreme Court by its Unauthorized Practice of Law Committee. The reports stemmed from two residential sale transactions. Two reports involved individuals who were not licensed Rhode Island attorneys, and one involved a licensed Rhode Island attorney. All three reports involved performance of various tasks commonly associated with a residential transaction: conducting a closing, examining title for marketability, drafting a deed, drafting a residency affidavit and drafting a power of attorney. The Court expressly limited its holding to the context of a residential real estate transaction and held as follows.

An individual who is not a licensed Rhode Island attorney may conduct a residential real estate closing, draft a residency affidavit and draft a limited durable power of attorney so long as these tasks are done in connection with the issuance of title insurance. In addition, when conducting a closing, a non-attorney must comply with strict disclosure requirements. Similarly, such individuals could draft deeds and search title, but a Rhode Island licensed attorney must review the deed(s) and complete the examination of the title. For the full text of the Court's opinion, see: <https://www.sos.ri.gov/divisions/notary-public/remote-online-notarization>

The disclosure requirements for a non-attorney closing agent must comply are as follows:

- The non-attorney closing agent must communicate to the buyer and seller the following:
 - ◊The closing agent is not an attorney;
 - ◊The closing agent does not represent the buyer/borrower or the seller;
 - ◊The closing agent cannot and will not give legal advice; and
 - ◊If the buyer/borrower or seller has a legal question, they should suspend the closing and seek counsel from a licensed attorney.
- The non-attorney closing agent must present a written notice to the buyer/borrower and seller that contains the above and require the parties read the document.
- The disclosure must be the first document presented and signed at closing.
- The buyer/borrower and seller must sign a copy of the disclosure acknowledging receipt thereof and that they read and understand the contents thereof.
- The closing agent must sign the disclosure acknowledging that he or she has orally explained the content thereof to the buyer/borrower and seller and must retain a copy of same.
- The closing agent must provide a copy of the disclosure to the buyer/borrower and seller.

2. Remote Notarization

On April 3, 2020, Governor Raimondo issued revisions to the Standards of Conduct for Notaries Public in the State of Rhode Island and Providence Plantations, pursuant to Rhode Island General Laws Sec. 30-15-9(e)(1) applicable until the termination of the state of emergency as declared by the Governor pursuant to Executive Order 20-02. The revisions appear in Sections 2(j) and 8 thereto and temporarily permit commissioned notaries of the State to perform remote notarizations of electronic documents. The temporary regulatory change also permits Rhode Island notaries to remotely notarize paper documents after meeting with the principal on an approved technology provider. Notaries must register with the Secretary of State the capability to notarize documents remotely via an approved technology provider. Because of the temporary nature of these guidelines, the status of the Rhode Island state of emergency should be confirmed before utilizing remote notarization protocols.

<https://www.sos.ri.gov/divisions/notary-public/remote-online-notarization>



2020 Legislative Update Vermont

Jill Spinelli Quong
Vermont State Counsel
Northern New England Division
Stewart Title Guaranty Company



This legislative update briefly outlines the laws enacted by the Vermont Legislature impacting real property. The complete text of these and other acts can be found at www.leg.state.vt.us.

S.333 An act relating to establishing a moratorium on ejectment and foreclosure actions during the COVID-19 emergency.

This Act, stays any pending ejectment and foreclosure actions until 30 days after the Governor terminates the State of Emergency declaration relating to the COVID-19 pandemic. A full copy of this Act can be viewed using the following link:

<https://legislature.vermont.gov/Documents/2020/Docs/ACTS/ACT101/ACT101%20As%20Enacted.pdf>

H.837 An act relating to enhanced life estate deeds

This Act establishes the requirements and procedures for creating enhanced life estate deeds in Vermont where a Grantor reserves a common law life estate interest in real property while expressly reserving rights such that the deed creates a contingent remainder interest in the Grantee. These Enhanced Life Estate Deeds have been used regularly in Vermont for estate planning purposes. A full copy of this Act can be viewed using the following link:

<https://legislature.vermont.gov/Documents/2020/Docs/BILLS/H-0837/H-0837%20As%20Passed%20by%20Both%20House%20and%20Senate%20Official.pdf>

H.926 An act relating to changes to Act 250

This bill makes several amendments to ACT 250, Vermont's Land Use and Development Act, which is designed to mitigate the effects of development through an application process that addresses the environmental and community impacts of projects.

Of particular interest is a change to 10 V.S.A. §6090, which sets forth recording requirements, the duration of a permit and the potential to release property from ACT 250 jurisdiction. A full copy of this Act can be viewed using the following link:

<https://legislature.vermont.gov/Documents/2020/Docs/BILLS/H-0926/H-0926%20As%20passed%20by%20the%20House%20Official.pdf>

26 V.S.A. Chapter 103 Emergency Administrative Rules for Notaries Public and Remote Notarization.

As a result of the COVID-19 pandemic, the Vermont Secretary of State issued Emergency Rules Enabling use of Remote Notarization to facilitate notarial acts taking place when the signer of the record and the notary public cannot physically be in the same space. The Emergency Rule and Guidance for Notaries Public on the use of Remote Notarizations can be found at the following links:

<https://sos.vermont.gov/media/byvjsc2a/emergency-rules-remote-notary-final-2020-0324.pdf>

<https://sos.vermont.gov/media/mixppvqc/emergency-rules-remote-notary-final-2020-0324.pdf>



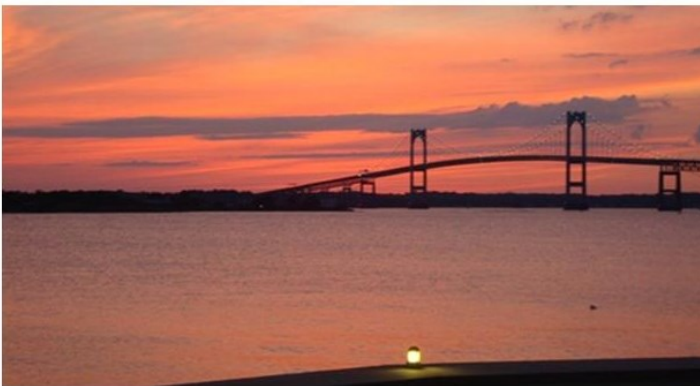
*Save The Dates and Join Us
At The Luxurious New
Gurney's
NEWPORT
Newport, Rhode Island
June 17 - 21, 2021*

Surrounded by picturesque Newport Harbor and Narragansett Bay, Gurney's Newport Resort & Marina offers the seclusion of a private island while being a short walk from the heart and history of the charming waterfront cobblestone streets of Newport. This waterfront resort is centrally located to the area's abundant attractions and activities, which include great restaurants, landmark mansions, museums, vineyards, golf courses, beaches, state parks, scenic walks, musical and theatrical performances, cruises and more.

Expansive grounds offering 360-degree water views provide an ideal setting for various waterfront dining options, entertainment, wellness, luxurious waterfront spa treatments, family fun, and secluded shoreline cocktails featuring the best sunsets in Newport. With guestrooms and suites with water views and more event space than any other property in Newport, Gurney's Newport Resort & Marina is a popular destination for all sorts of stylish business and social gatherings. Their philosophy of service: to accommodate each guest personally.

Some of the most notable changes and new amenities include:

- **New 22-slip marina.** Will offer great connectivity to the harbor front and will accommodate boats up to 240 ft,
- **The lobby.** The biggest change to the building will probably be in the lobby with all new sliders.
- **The addition of a Scarpetta Restaurant.** Serving modern Italian cuisine with an emphasis on pastas and seafood. The restaurant has well-known locations in Manhattan, Las Vegas and Miami Beach.
- **A revamp of Pineapples on the Bay.** The menu will be expanded, and service will be extended to include outside
- **The addition of Gurney's Kids Club.** A place where kids can go and enjoy activities while parents go out in Newport.



Advertise your company in the 2021-2022 NELTA Membership Directory

The most effective way to bring more recognition to your company's listing in the 2021-2022 NELTA Membership Directory is by advertising in your state's listing. For as little as \$50.00 you can direct potential clients, referrals, and business to your company.

Stand out from the rest

Advertising in the NELTA Membership Directory gives your company more notice than the average listing. The only way to stand out from the crowd is to advertise your company in your state's listing. All those who use the NELTA Membership Directory will see your company first when they look through the member listings.

Easy, Fast, Efficient

With state placement advertising, everyone will be able to quickly and easily find your company and send referrals your way. Just fill in the form below and mail it, along with your check payable to NELTA, P.O. Box 743, Norwalk, CT 06852-0743. Please email ad copy to nelta.org@gmail.com. If you have any questions, call Cathy at (203) 847-6885 or via email at nelta.org@gmail.com.

**Don't miss out on this advertising opportunity.
Mail this form back today.**

YES! I want to advertise my company in my state in the 2021-2022 NELTA Membership Directory. Multi-state offices, please indicate state where ad is to be placed below.

Contact Name: _____

Company: _____

Address: _____

Phone: _____ E-Mail: _____

First Page of Directory, Page 1 - \$150.00 _____ Outside Back Cover - \$150.00 _____

Inside Front Cover - \$150.00 _____ Inside Back Cover - \$125.00 _____

Special: Six Half Page Ads listed in all six states - \$200.00 _____ (Savings of \$100.00)

Full Page Ad - \$100.00 _____ Indicate State Where Ad Should Be Placed _____

Half Page Ad - \$50.00 _____ Indicate State Where Ad Should Be Placed _____

Full page ad dimensions 4.5" x 7", half page ads are 4.5" x 3.5". **Ad copy should be 300 dpi JPEG file format.** Send completed form and your check for payment to the above address. Please email camera-ready art to nelta.org@gmail.com. All artwork is due no later than **December 18, 2020**. Special positioning requests will be taken on a first-come, first-served basis.

**New England Land Title Association
Application for Membership**

Name & Title _____
Firm or Company _____
Business Address _____
City _____ State _____ Zip Code _____
Phone _____ Fax _____ E-Mail _____

Associate Membership – Annual Dues - \$95.00

Applicant is: (Check appropriate box)

____ Attorneys, paralegals, title administrators, or other employees of a law firm or law office who actively practice or assist in the practice of conveyancing in one or more of the New England states

____ Officers, attorneys, paralegals or other employees of financial and lending institutions, life insurance companies, corporations and other entities actively engaged in real estate lending or other real estate matters

____ Surveyors or employees of companies or individuals actively engaged in the profession of land surveying

____ Employees of domestic companies that either are qualified policy issuing agents of title insurance companies or are engaged in the business of preparing and selling commercial abstracts or certificates of title (associate member option)

____ An organization, business or individual having an interest in or wishing to support the efforts of NELTA (sustaining member)

Firm Membership - Annual Dues: \$190.00+

____ Annual dues include up to two employees of a firm. Each additional employee is \$50.00 annually. Attach list of employee names as they will appear in the Membership Directory with application.

Regular Membership – Annual Dues: \$400.00

____ A title insurance company

____ A corporate abstract company (regular member option)

Recruiter: Did a NELTA member recommend that you join the Association?

____ Yes ____ No If yes, please let us know who we may thank:

Name of Member: _____

Address: _____ City, State, Zip: _____

How did you find out about NELTA? What lead you to become a NELTA member?

Mail completed application to: NELTA, P.O. Box 743, Norwalk, CT 06852-0743. (203) 847-6885.
Visit us on the web at www.nelta.org. Email us at nelta.org@gmail.com.

**New England Land Title Association
P.O. Box 743
Norwalk, CT 06852-0743**

NELTA Member Reminder: 2020-2021 Dues Invoices were emailed out on September 1, 2020. There are two payment options. Mail your check to NELTA or pay thru the NELTA web site with a credit card. Let's navigate the changes and challenges of our industry together!



New Hampshire • Massachusetts
Rhode Island • Connecticut • Maine

PROFESSIONAL
DEPENDABLE ACCOMODATING
EFFICIENT **ACCURATE**
SUPURB AND TIMELY RESEARCH

- Abstracting and Closing Appointments
- Same Day Services • E&O Insured

P 603.483.1039 **F** 603.483.1038 **W** www.asktitleservices.com