



March 19, 2020

The Honorable Charles Baker
State House Room 360
Boston, MA 02133
VIA EMAIL

RE: Real Estate Coalition Concerns Regarding Real Estate Transaction Issues, Smoke and CO Inspections and Remote Notarization

Dear Governor Baker:

On behalf of the undersigned organizations we wish to express our thanks for your tireless efforts on behalf of the citizens of the Commonwealth, including many of our members during this unprecedented health crisis. We understand the many demands facing your administration, however we wish to raise two concerns specific to the real estate industry.

While the real estate industry is not immune to an economic downturn, at least for now, transactions are still ongoing. As families still must make decisions on where to live, seniors facing health issues may need to downsize or employment may change the need to buy or sell a home remains a critical part of our economy.

To that end we wish to raise two issues that we view as critical to the on-going transaction of real estate.

1) Smoke Alarm and Carbon Monoxide Inspections for One and Two-Family Dwellings and Three to Five-family Apartment Buildings.

A certificate of compliance from the local fire department showing that smoke and carbon monoxide alarms meet the requirements for a sale or transfer is currently required. As more fire

departments consider suspending inspections, the need to address this issue takes on greater urgency. While we do not prescribe a particular solution to this issue, we offer language recently adopted in the state of Rhode Island as model for your consideration.

2) Remote Notarization

The Commonwealth requires notarization of certain documents throughout a real estate transaction and the current notary laws and regulations require that a Massachusetts notary witness the signing in person, resulting in exposure and contact between individuals. We encourage the Commonwealth to consider giving an attorney who is licensed in Massachusetts and also a duly appointed notary, or a paralegal notary directly supervised by the attorney, an exception from an in-person notarization requirement during the current state of emergency.

Each of our organizations serve different segments of the real estate industry and with different concerns from our members. We all agree that addressing these two items are vital to maintaining some semblance of a real estate market here in Massachusetts.

We hope you will consider all of us a resource as you navigate this unprecedented time for our Commonwealth. Please do not hesitate to contact any of us with questions.

Sincerely,

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