

# Helpful Statutes of Limitations

## How long are we stuck with these pesky title issues?

All references are to Massachusetts General Laws unless stated otherwise.

TYPE OF INTEREST	LIMITATION PERIOD	APPLICABLE STATUTE
Adverse possession and prescriptive easement	20 years of continuous use	c. 260, §§21-22
Attachment	6 years from date of recording	c. 223, §114A, REBA TS 49
Levy on execution	6 years and 90 days from date of recording	c. 236, §§49A & 27, REBA TS 20
Private restrictions – after 12/31/61	30 years from recording date	c. 184, §27, REBA TS 52
Private restrictions – before 1/1/1962	50 years from recording date	c. 184, §28, REBA TS 52
Lack of building permit	10 years from commencement of use	c. 40A, §7
Zoning violation	6 years from commencement of use with valid building permit	c. 40A, §7
Building restriction	6 years next after the completion of such building, addition, or other construction	c. 184, §23A, REBA TS 57
Estate: Claims of creditors	1 year from date of death	c. 190B, §3-803(a)
Estate: Claims for administration expenses	6 years from date of bond	c. 202, §20A
Presumption of Intestacy	3 years from date of death	c. 190B, §3-108
Lack of administration or probate of estate	50 years from date of death	REBA TS 14
Massachusetts estate tax	10 years from date of death	c. 65C, §14, REBA TS 24
Federal estate tax	10 Years from date of death	26 USC §6324, REBA TS 3
Betterment assessment	30 years from recording of statement of betterments OR, if the property has been sold, 2 years from Oct. 1st of the year last billed	c. 80, §12, REBA TS 22
UCC financing statement	5 years from date of recording	c. 106, §9-515(a)
Mortgage	5 years after stated maturity date; if none stated, 35 years from recording date	c. 260, §33
Massachusetts income tax	10 years from assessment date	c. 62C, §50, REBA TS 55
Federal income tax	10 years and 30 days from assessment date	26 USC §6502, REBA TS 54
Mass corporate excise tax	3 years from assessment date	c. 62C, §51, REBA TS 17
Child support lien	10 years from recording date	c. 119A, §6(b)(5), REBA TS 83
Errors in acknowledgment; consideration, seals, corporate or individual, authority	10 years from recording date	c. 184, §24

# Helpful Links

**WFG Agent:** <https://wfgagent.com>

**WFG Underwriting:** <http://wfgunderwriting.com>

**WFG AMS2 (CPL, Over Limit, Jackets):** <https://wfgsecure.com/AMS2>

**American Land Title Association (ALTA):** <https://www.alta.org>

**Code of Massachusetts Regulations (CMR):** <https://www.mass.gov/code-of-massachusetts-regulations-cmr>

**FDIC BankFind:** <https://research.fdic.gov/bankfind>

**Land Court:** <https://www.mass.gov/orgs/land-court>

**Land Court Guidelines:** <https://www.mass.gov/files/documents/2016/08/00/guidelines-registered-land.pdf>

**Land Court Memos:** <https://www.mass.gov/lists/registered-land-memos-from-the-chief-title-examiner>

**Lane Guide (The Lender Source):** <https://www.laneguide.com>

**MA General Laws:** <https://malegislature.gov/Laws/GeneralLaws>

**MA Land Records (Registries of Deed):** <http://www.masslandrecords.com>

**MA Secretary of State:** <http://www.sec.state.ma.us>

**MA Trial Court Electronic Case Access:** <https://www.masscourts.org>

**New England Land Title Association (NELTA):** <http://nelta.org>

**PACER (Bankruptcy/Federal Court Records):** <https://www.pacer.gov>

**Real Estate Bar Association (REBA):** <https://www.reba.net>

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