

WFG Underwriting Bulletin



To: All Massachusetts Policy Issuing Agents of WFG National Title Insurance Company
From: WFG Underwriting Department
Date: April 3, 2020
Bulletin No: MA 2020-03
Subject: COVID-19 Tolling of MA Statutes of Limitation and Deadlines – Supplement to NB 2020-06

This Bulletin supplements [National Bulletin \(NB\) 2020-06](#) dated April 3, 2020.

On April 1, 2020, the Supreme Judicial Court issued its Order [In re: COVID-19 \(Coronavirus\) Pandemic Regarding Court Operations under the Exigent Circumstances Created by the COVID-19 \(Coronavirus\) Pandemic](#), as revised, effective April 6, 2020 (the “SJC Order”). Pursuant to the SJC Order, all statutes of limitation are tolled from March 17, 2020 through May 3, 2020 (paragraph 11); all deadlines set forth in statutes or court rules, standing orders or guidelines that expired or will expire between March 16, 2020 and May 4, 2020, are tolled until May 4, 2020 (paragraph 12); and all deadlines established by a court in a particular case issued on or before March 16 that expire between March 16, 2020 and May 4, 2020, are tolled until May 4, 2020 (paragraph 13).

What does this mean? It means the statutes of limitation or filing deadlines are suspended during those times.

If any statute of limitation, any deadline set forth in statutes or court rules, standing orders or guidelines, or any deadline established by a court in a particular case issued prior to March 16, 2020, would be relied upon to eliminate a matter on title (i.e., real estate attachments, levy on executions, mechanic lien filings, etc.), you may not rely upon said statute of limitation or deadline, or issue a policy eliminating a matter on title based upon such, if:

- a. the statute of limitations would expire or run from March 17 through May 3, 2020;
or
- b. the deadline would expire between March 16 and May 4, 2020.

The Supreme Judicial Court has provided guidance on determining new deadlines in [paragraph 12](#) of the SJC Order.

If you have any questions or need assistance regarding whether one of these scenarios apply in a particular situation, please do not hesitate to reach out to MA Underwriting Counsel for guidance on how to proceed.

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NOTE: The information contained in this Bulletin is intended solely for the use of employees of WFG National Title Insurance Company, its title insurance agents and approved attorneys. Disclosure to any other person is expressly prohibited unless approved in writing by the WFG National Title Insurance Company's Underwriting Department.

The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.