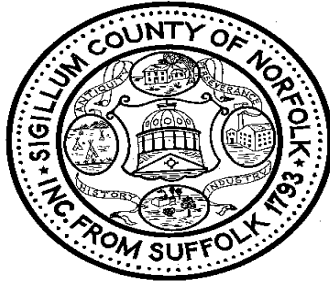




NORFOLK COUNTY REGISTRY OF DEEDS FREQUENTLY ASKED QUESTIONS

1. [What is the Homestead Act?](#)
2. [I don't have my deed. What can I do?](#)
3. [How can I get a copy of my deed?](#)
4. [My spouse died. What do I have to do to change my deed?](#)
5. [How do I add someone to my deed?](#)
6. [How do I change my name on a deed?](#)
7. [If I inherited my property will I have a deed in my name?](#)
8. [What does the "cancelled" notation on my deed mean?](#)
9. [What do I have to do now that I have paid off my mortgage?](#)
10. [My mortgage is paid off; when does the bank send me my deed?](#)
11. [My bank went out of business, how do I find out who has my mortgage so that I may record my discharge](#)
12. [Can I get a copy of my plot plan at the Registry of Deeds?](#)
13. [How do I find a document?](#)
14. [I'm having trouble finding a name or document.](#)
15. [I'm having technical problems](#)
16. [How do I set-up a Subscription Service Account for online research](#)
17. [What is the difference between Recorded Land \(Registry\) and Registered Land \(Land Court\)?](#)



NORFOLK COUNTY REGISTRY OF DEEDS FREQUENTLY ASKED QUESTIONS

1) What is the Homestead Act?

The Homestead Act protects home ownership from execution and forced sale, so long as the owner or a covered family member occupies or intends to occupy the property as his or her principal residence.

Click here for [Homestead Information and Forms](#)

2) I don't have my deed. What can I do?

It should not be a problem. You don't need an original deed to sell or refinance property. You can obtain a copy from the Registry of Deeds. A certified copy of your deed has the same legal effect as the original.

3) How can I get a copy of my deed?

You can request a copy of your deed or any other instrument/document in person or by mail. The price for copies requested by mail is \$2.00 for the first page and \$1.00 for each additional page. Copies ordered in person are \$1.00 per page. Please include the title reference (book and page or document number) of the deed you are looking for, if you have it. If you do not know the title reference please list the owner's name, street address and town where the property is located. Questions can be directed to the Customer Service Center at 781-461-6101.

Click here for [How to Obtain a Copy of My Deed](#)

4) My spouse died. What do I have to do to change my deed?

If you held the property with your spouse as tenants by the entirety or joint tenants you should file a certified copy of the death certificate. The

death certificate becomes part of the chain of title, but the deed remains the same. If you held the property as tenants in common your spouse's estate will have to be probated. In the case of registered land, a certified copy of the death certificate and an affidavit of no divorce should be filed in the Land Court *if* the property is held as tenants by the entirety. The filing fee to record each document is \$75.00.

5) How do I add someone to my deed?

To add someone to your deed you must create a new deed in which you convey to the new party and yourself. The new deed must then be recorded at the Registry of Deeds. To expedite the process of drawing a new deed, you should obtain a copy of your current deed, if you do not already have one. The Registry strongly recommends that you consult an attorney before filing a new deed. The filing fee to record a deed is \$126.00.

6) How do I change a name on a deed?

To change a name on a deed you generally have to record a new deed. An individual cannot deed to him or herself. The transaction is void because there is no transfer of property, the same person remains the owner. If the deed is in your name alone, and you intend to remain the sole owner despite your change of name, there are two steps you must take. A deed to a third party (a straw deed) using your new name and a formerly known as (FKA) for your old name, must be filed and then a new deed back to you using your new name only. If the deed is in your name alone or has you and your spouse as owners and you intend to have both of your names on the deed, you only need to record one deed using FKA in the grantor clause and your new name in the grantee clause. It is complicated and the Registry strongly recommends that you consult with an attorney before filing a new deed.

7) If I inherited my property will I have a deed in my name?

Record title includes the records not only of the Registry of Deeds, but also the Registry of Probate. If the deceased left a will, property will

pass under the terms of the will. In the absence of a will, the property of the deceased person passes as intestate property in accordance with statutory provisions. In these cases there will not be a deed to the person inheriting the property. The title derives from the probate proceedings and documents.

8) What does the “cancelled” notation on my deed mean?

When the consideration (purchase price) on a deed is for \$100.00 or more the seller must pay an excise tax. The excise stamp was affixed to the deed and then cancelled to avoid the reusing of the stamp. Excise stamps are now printed on the deed and therefore no cancelled stamp is necessary

9) What do I have to do now that I have paid off my mortgage?

Once you pay off your mortgage a Mortgage Discharge document will be prepared by the lender. The original discharge is often sent to the borrower, but is sometimes sent directly to the Registry. If the mortgage discharge is sent to you, you must record it here, either by mail or in person. The filing fee to record a Mortgage Discharge is \$76.00.

10) My mortgage is paid off; when does the bank send me my deed?

Real estate titles are not like automobile titles in that the automobile title is held by the bank until the loan is paid. After the “Discharge of Mortgage” document (see **8** for an explanation) is filed and recorded, the Registry returns the document to the party who recorded it. Your deed should have been returned to you shortly after you purchased your home*. If it wasn't, you can check with the attorney who did the closing or you can get a copy of your deed here at the Registry. A certified copy of your deed from the Registry has the same validity as the original document.

*Should you have Registered Land/Land Court; (see **16** for an explanation), per MA General Laws, Registered Land/Land Court original documents are not returned.

Click here for [How to Obtain a Copy of My Deed](#)

11) My bank went out of business, how do I find out who has my mortgage so that I may record my discharge?

The Registry has provided an informational sheet, *Where has my Bank Gone?*

Click here for [Where has my Bank Gone ?](#)

12) Can I get a copy of my plot plan at the Registry of Deeds?

There are three types of plans people are usually concerned with; plot plans, mortgage surveys and plans of land. At the Registry we only have **plans of land**, i.e. the plan shows the dimensions of a lot of land but makes no reference to the buildings thereon. Plot plans and mortgage surveys are plans that show the buildings and their relation to the dimensions of the lot; these are never recorded because they do not meet the stringent surveying standards required for actual plans. If your deed makes reference to a plan of land recorded here at the Registry you may obtain a copy of that plan of land.

13) How do I find a document?

Click here for [Online Research Introduction](#)

Click here for [How to Search Land Records](#)

Click here for [How Names are Indexed in the Computer](#)

14) I'm having trouble finding a name or document.

Call the Customer Service Center at 781-461-6101.

15) I'm having technical problems.

Call the IT Department at 781-461-6132 or 781-461-6142.

Click here for [Help/Support/Frequently Asked Questions](#)

16) How do I set-up a Subscription Service Account for online research?

For Real Estate Professional use only

Click here for [Application/Service Agreement](#)

17) What is the difference between Recorded Land (Registry) and Registered Land (Land Court)?

There are two categories of land in Massachusetts, Recorded (Registry) and Registered (Land Court). All land is in one category or the other, but it is possible for a single parcel to include both types. Each system has its respective advantages and differences.

Recorded Land (Registry) constitutes about 80% of the property in Norfolk County. Recorded Land (Registry) instruments, when accepted for recording, are assigned a book and page number. These instruments are then scanned into the computer, as well as being bound in book form. Recorded Land (Registry) instruments are mailed back to the party noted on the instrument.

Registered Land (Land Court) involves a central registry in which all of the documents affecting title to a particular parcel of real estate are recorded in one place. Registered Land (Land Court) documents, when accepted for registration, are given a document number and noted on a Certificate of Title. These documents and Certificates of Title are scanned into the computer. Registered Land (Land Court) documents are not mailed back, but retained by the Land Court as permanent Court records.

Should a document(s) need to be filed in both the recorded (Registry) *and* registered (Land Court) sections, the document(s) should be brought to the registered (Land Court) recording counter where they should be recorded first. Then you proceed to the recorded (Registry) side. Separate checks will be required.