

MIDDLESEX NORTH REGISTRY OF DEEDS

RICHARD P HOWE JR, REGISTER OF DEEDS

BILLERICA – CARLISLE – CHELMSFORD – DRACUT – DUNSTABLE – LOWELL – TEWKSBURY
TYNGSBOROUGH – WESTFORD - WILMINGTON

ANNUAL REPORT FOR 2015

The number of documents recorded at the Middlesex North Registry of Deeds in 2015 was up 13% from the number recorded in 2014 (53,584 in 2014 vs. 60,516 in 2015). Deeds were up 5% and mortgages were up 21%. Unfortunately, foreclosure-related documents were up too, with foreclosure deeds increasing 35% (155 to 209) and orders of notice rising 38% (347 to 479). Many of the orders of notice were recorded in the fall which means there will be more foreclosure auctions in early 2016.

The following table shows recording and revenue statistics for Middlesex North since 1990.

MIDDLESEX NORTH BY THE NUMBERS: 1990-2015

<i>Docs Recorded 1990 to 2014</i>	<i>% change Prior year</i>	<i>Deeds</i>	<i>Mortgages</i>	<i>Foreclosure Deeds</i>	<i>E-Filed Docs</i>	<i>E-File %</i>	<i>Revenue (millions)</i>	
1990	51820		5740	8655	304			
1991	52019	0%	5868	8823	466			
1992	76282	+47%	7321	14487	762			
1993	83337	+9%	7463	17097	701			
1994	71427	-14%	5721	10936	624			
1995	60681	-15%	7223	10137	401			
1996	67286	+11%	8057	12017	399			
1997	70128	+4%	7984	13664	322			
1998	93633	+34%	8771	21823	185			
1999	89506	-4%	8557	17816	101			
2000	71558	-20%	8254	14456	74			
2001	97180	+36%	8355	24969	44			
2002	115890	+19%	8756	31221	45			
2003	146956	+27%	8977	41800	42		\$26.1	
2004	96204	-35%	9165	28079	69		\$21.7	
2005	87866	-9%	8930	25402	47	1057	1%	\$22.0
2006	72830	-17%	7236	20503	166	1871	3%	\$17.5
2007	66192	-9%	6767	15999	271	3491	5%	\$16.3
2008	56011	-15%	5568	11451	602	3956	7%	\$12.2
2009	65838	+18%	5557	14743	400	8168	12%	\$12.1
2010	63247	-4%	5535	13837	584	9013	14%	\$11.8
2011	59173	-6%	5332	12007	429	14736	30%	\$11.0
2012	70558	+19%	9158	16002	342	24210	34%	\$13.5
2013	67001	-5%	6718	13272	150	25251	38%	\$14.4
2014	53584	-20%	6561	9190	155	20306	38%	\$13.7
2015	60516	+13%	6913	11148	209	26955	45%	\$15.1

For more information about the contents of this report, please contact Register of Deeds Richard P. Howe Jr. at (978) 322-9000 or at richard.howe@sec.state.ma.us

MEDIAN DEED PRICES BY COMMUNITY: 2000 TO 2015

All deeds recorded at the registry must state the consideration paid. The following table shows the median price of deeds recorded for each of the ten Middlesex North District communities from 2000 through 2015. While registry records do not identify the use of the property (i.e., residential, industrial, etc.) these deeds do nevertheless provide a snapshot of overall property values in each community.

Median Deed Price with year-to-year percentage change: 2000 to 2015										
Year	Lowell		Billerica		Carlisle		Chelmsford		Dracut	
2000	\$140,000		\$216,000		\$450,000		\$206,500		\$167,450	
2001	\$162,000	16%	\$247,500	15%	\$492,500	9%	\$235,900	14%	\$175,257	5%
2002	\$187,375	16%	\$284,700	15%	\$518,750	5%	\$272,997	16%	\$204,900	17%
2003	\$217,000	16%	\$306,450	8%	\$535,000	3%	\$295,000	8%	\$230,000	12%
2004	\$238,600	10%	\$342,750	12%	\$575,000	7%	\$314,900	7%	\$245,000	7%
2005	\$254,900	7%	\$359,900	5%	\$540,000	-6%	\$325,000	3%	\$269,900	10%
2006	\$247,000	-3%	\$324,000	-10%	\$560,000	4%	\$317,500	-2%	\$260,000	-4%
2007	\$225,000	-9%	\$329,000	2%	\$597,500	7%	\$304,000	-4%	\$241,000	-7%
2008	\$184,900	-18%	\$299,950	-9%	\$570,000	-5%	\$280,000	-8%	\$275,450	14%
2009	\$178,500	-3%	\$291,700	-3%	\$525,000	-8%	\$289,000	3%	\$230,000	-17%
2010	\$180,000	1%	\$300,000	3%	\$555,000	6%	\$290,000	0%	\$237,000	3%
2011	\$170,000	-6%	\$285,500	-5%	\$545,000	-2%	\$275,250	-5%	\$214,800	-9%
2012	\$175,000	3%	\$295,500	4%	\$450,000	-17%	\$278,950	1%	\$226,032	5%
2013	\$195,000	11%	\$312,000	6%	\$458,000	2%	\$290,000	4%	\$239,950	6%
2014	\$208,167	7%	\$332,500	7%	\$533,750	17%	\$310,000	7%	\$245,000	2%
2015	\$221,000	6%	\$350,000	5%	\$560,000	5%	\$323,000	4%	\$259,900	6%
change since 2000		37%		38%		20%		36%		36%
Year	Dunstable		Tewksbury		Tyngsboro		Westford		Wilmington	
2000	\$320,000		\$208,500		\$221,000		\$315,089		\$250,000	
2001	\$353,500	10%	\$230,000	10%	\$244,000	10%	\$350,000	11%	\$281,250	13%
2002	\$389,950	10%	\$269,900	17%	\$285,000	17%	\$404,000	15%	\$320,000	14%
2003	\$412,000	6%	\$289,900	7%	\$286,000	0%	\$383,500	-5%	\$350,000	9%
2004	\$379,500	-8%	\$329,900	14%	\$315,000	10%	\$415,500	8%	\$360,000	3%
2005	\$460,000	21%	\$345,000	5%	\$293,000	-7%	\$420,000	1%	\$383,598	7%
2006	\$395,500	-14%	\$325,350	-6%	\$350,000	19%	\$397,000	-5%	\$384,450	0%
2007	\$399,900	1%	\$305,000	-6%	\$295,000	-16%	\$369,900	-7%	\$360,000	-6%
2008	\$426,500	7%	\$310,000	2%	\$261,500	-11%	\$329,900	-11%	\$335,000	-7%
2009	\$330,000	-23%	\$290,000	-6%	\$249,450	-5%	\$349,900	6%	\$334,575	0%
2010	\$338,000	2%	\$289,000	0%	\$271,000	9%	\$338,250	-3%	\$346,500	4%
2011	\$362,500	7%	\$280,000	-3%	\$262,000	-3%	\$360,000	6%	\$317,000	-9%
2012	\$422,969	17%	\$275,000	-2%	\$237,500	-9%	\$369,900	3%	\$354,250	12%
2013	\$370,000	-13%	\$283,850	3%	\$299,000	26%	\$385,250	4%	\$360,000	2%
2014	\$405,000	9%	\$320,000	13%	\$326,000	9%	\$366,500	-5%	\$373,950	4%
2015	\$430,400	6%	\$329,450	3%	\$288,500	-12%	\$380,000	4%	\$400,000	7%
change since 2000		26%		37%		23%		17%		38%

TOP REGISTRY EVENTS OF 2015

Snow – With 111 inches, Lowell set the record for the most snow of any city of more than 100,000 residents in the entire United States during the winter of 2014-15. Big storms forced the registry of deeds to close twice for consecutive days (on January 27 and 28; again on February 9 and 10).

Electronic Recording Volume Up – Perhaps all the snow earlier in the year convinced more attorneys to use electronic recording. For Middlesex North, the percentage of documents recorded electronically exceeded 45% of all recordings, up from 38% in 2013 and 2014. Having all 21 registries of deeds in Massachusetts accepting electronic recording has also helped broaden the use of that technology.

Land Court Receptive To Electronic Recording – After several meetings between the judges of the Massachusetts Land Court and the Registers of Deeds Association, the Land Court has indicated its willingness to permit electronic recording. Implied in this would be the elimination of the long-time requirement that the registries retain permanent possession of all original documents. Planning for the transition will continue in 2016.

Registry of Deeds to Lowell Judicial Center – In June, representatives of Division of Capital Asset Management and Maintenance notified us that the Middlesex North Registry of Deeds will be housed in the new Lowell Judicial Center along with the Superior, District, Probate, Housing, and Juvenile Courts. The estimated completion date for the new building is fall 2018.

Ibanez bill – Senate Bill 2015, “An Act clearing titles to foreclosed properties,” passed both houses of the legislature and was signed by the governor this fall. The bill provides a three year period for challenging the legality of a foreclosure. It is a response to the 2011 Supreme Judicial Court decision in *U.S. Bank v Ibanez* which invalidated thousands of already-conducted mortgage foreclosures in Massachusetts. An identical bill passed the legislature at the end of the 2014 session, but Governor Patrick sent it back to the legislature with proposed changes which essentially killed the bill in that session.

Recording Volume Up – The overall number of documents recorded at the registry of deeds in 2015 (60,516) increased 13% from the number recorded in 2014 (53,584). As for specific document types, deeds increased 5% from 6,561 in 2014 to 6,913 in 2015; mortgages increased 21% from 9,190 in 2014 to 11,148 in 2015; foreclosure deeds increased 35% from 155 in 2014 to 209 in 2015; orders of Notice increased 38% from 347 in 2014 to 479 in 2015. While the increase in total documents, deeds, and mortgages was a good thing, the jump in foreclosure-related filings is worrisome and bears watching in 2016.

Solar Panels – Rooftop solar units have been around for several years but they really took off in 2015 when measured by the number of UCC forms recorded by solar companies. The two companies that do most of the installations in Greater Lowell are Vivint and SolarCity. In 2015, Vivint recorded 495 and SolarCity recorded 265. That was up from 204 in 2014 for Vivint and 89 for SolarCity.

TRID Rules Implemented –The Dodd-Frank Act required the Consumer Financial Protection Bureau to integrate the Truth in Lending disclosure and the RESPA into a single document. To do this, the CFPB promulgated an extensive series of rules that are commonly referred to as TRID (for Truth in Lending/RESPA Integrated Disclosure). These new rules took effect on October 3, 2015 and have caused widespread changes in the way real estate closings are handled. Because of these changes, a number of local lawyers may abandon residential closings and do only commercial transactions which are not bound by the new rules. This could cause a contraction in the local real estate bar.

2015 Middlesex North Revenue by Month

2015/mo	Recording Fees	Deed Excise Tax	Registered Land	Copies	Community Preserv Act	Technology Fund	Total Revenue
January	\$250,046	\$404,118	\$20,980	\$1,146	\$66,980	\$18,815	\$762,080
February	\$254,235	\$361,412	\$19,510	\$1,248	\$66,180	\$18,385	\$720,970
March	\$346,835	\$574,425	\$30,390	\$1,282	\$90,160	\$25,310	\$1,068,402
April	\$360,615	\$466,139	\$27,590	\$1,223	\$90,430	\$26,010	\$974,007
May	\$335,300	\$557,182	\$29,240	\$1,106	\$86,410	\$24,390	\$1,033,628
June	\$474,170	\$1,087,327	\$39,910	\$1,596	\$123,490	\$35,100	\$1,761,593
July	\$434,920	\$1,406,559	\$34,850	\$1,497	\$110,260	\$31,995	\$2,020,081
August	\$399,730	\$851,908	\$38,060	\$1,691	\$102,880	\$29,780	\$1,424,049
September	\$399,730	\$831,908	\$27,880	\$1,343	\$93,080	\$26,790	\$1,424,049
October	\$375,180	\$1,242,598	\$26,650	\$1,446	\$96,620	\$27,545	\$1,770,039
November	\$314,265	\$595,160	\$26,740	\$1,005	\$84,290	\$23,745	\$1,045,205
December	\$393,115	\$1,040,923	\$31,160	\$1,103	\$103,420	\$29,250	\$1,045,205
2015 Totals	\$4,338,141	\$9,419,659	\$352,960	\$15,686	\$1,114,200	\$317,115	\$15,049,308

Outlook for 2016

The future of the Middlesex North Registry of Deeds is linked to the planned Lowell Judicial Center. When construction does finally start, the registry will begin preparing for our move into the new building even though construction is expected to take another 30 months.

Although electronic recording already accounts for 45% of all recordings at Middlesex North, we hope to expand its usage to registered land and to municipalities in 2016. Both present different challenges. Registered land has always been a paper-based system so electronic registration of documents will be a radical change to the 117-year old registered land system. All involved are proceeding cautiously to ensure that the transition goes smoothly. Municipalities face another challenge. They could use existing electronic recording systems but that would increase both the expense and the workload for the municipality. Middlesex North and the city of Lowell are pursuing a modified system of electronic recording that would greatly increase the efficiencies for both. Once this new system is installed and operational, it will be shared with other local and state governmental entities.

The Middlesex North website (www.masslandrecords.com/MiddlesexNorth) has long made all records and plans freely available online. Still, with advances in technology, the functionality of the website could be improved, particularly for viewing and printing images and accessing older indexes. Besides addressing those issues, a new website would also permit linking registry records with municipal assessing information.

Microfilm will also be an issue in 2016. Since 1949, this office has used microfilm to backup paper and now digital images of recorded documents. Although there are multiple electronic versions of all documents, plans, and indexes, with no paper copies being produced, microfilm remains our sole non-digital version of land ownership records. If a cyber-attack was ever directed at our land ownership records, the continued availability of archival microfilm would ensure that we could reconstitute all records. Whether that level of protection is prudent in light of rising costs will be debated in 2016.