

Update on Certain Massachusetts COVID-19 Measures Affecting the Real Estate Industry

Effective June 15, 2021, Governor Baker rescinded the COVID-19 state of emergency in Massachusetts. This triggered the expiration of a number of COVID-19 measures affecting the real estate industry. On June 16, the Massachusetts Legislature passed a law to extend some of these measures, as follows:

- Remote access to state and local public meetings has been extended until at least April 2022. Town meetings can be held remotely until at least December 2021.
- Certain eviction protections for residential tenants affected by COVID-19 have been extended until April 2022.
- Virtual notarization is allowed to continue until December 2021.
- Special permits for expanded outdoor dining can continue until April 2022. To-go sales of wine, beer and cocktails have been extended until May 2022.

(The Legislature is considering proposals to make remote access to public meetings and virtual notarization permanent.)

During the pandemic, the Governor issued an emergency order related to certain State environmental and development permit deadlines. That expired on June 15. On June 14, the Executive Office of Energy and Environmental Affairs and the Executive Office of Housing and Economic Development issued joint guidance related to the calculation of permit deadlines tolled during the pandemic. For example, a July 1, 2021 permit deadline would be extended by 462 days (the number of days in the state of emergency). The tolling provisions apply only to permits issued before March 10, 2020.

If you have questions regarding these developments, please contact one of the following attorneys.

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