

HD.1851 - *An Act Reducing CPA Recording Fees for Affordable Housing*

Representative Ann-Margaret Ferrante

SECTION 1. Section 8a of chapter 44B of the General Laws, as so appearing, is hereby amended by inserting the following after the words “Chapter 188” in line xx: or to the filing of any subordinate mortgage extended by any public agency or quasi-public agency, including but not limited to a Commonwealth municipality or the Massachusetts Housing Partnership.

SECTION 2. Section 8b of chapter 44B of the General Laws, as so appearing, is hereby amended by inserting the following after the words “Chapter 188” in line xx: or to the filing of any subordinate mortgage extended by any public agency or quasi-public agency, including but not limited to a Commonwealth municipality or the Massachusetts Housing Partnership.

Explanation: In 2019, legislation was signed to increase the recording fees collected for the CPA Trust Fund at the State’s Registries of Deeds. When the bill was being drafted, housing advocates requested that homeowners recording an affordable mortgage pay the CPA recording fee surcharge only once. It is common for affordable mortgages to use multiple subsidies and file second, third and even fourth mortgages. Advocates rightfully felt it would be a burden for those purchasing affordable homes to pay the CPA fee multiple times. Although the CPA legislation was filed with the above language, the wording was inadvertently dropped as the bill went through the legislative process. Statewide housing advocates including CHAPA and MAHA, along with the Community Preservation Coalition, all support adding the above language to Chapter 44b.

Contact for More Information:

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