

PSH Attorneys Featured in Banker & Tradesman on New Massachusetts Real Estate Withholding Rule

Description

Attorneys from [Partridge Snow & Hahn LLP \(PSH\)](#) were recently featured in [Banker & Tradesman](#), where they analyzed the newly adopted Massachusetts Department of Revenue regulation, 830 CMR 62B.2.4, which will take effective November 1, 2025, and is expected to significantly reshape high-value real estate transactions involving non-resident sellers by imposing new withholding requirements at closing.

In the article, "[Massachusetts Is About to Complicate Some High-Dollar Real Estate Deals](#)" (September 7, 2025), [Jay Peabody](#), Co-Managing Partner, explained how the rule requires closing agents to withhold tax on certain sales exceeding \$1 million when the seller resides outside the Commonwealth. "This is a notable shift in responsibility, placing new administrative and compliance burdens on closing professionals," said Peabody.

[Allison Fleet](#), Partner in the firm's commercial real estate practice, highlighted the importance of exemptions and proper documentation: "Even if the seller qualifies for an exemption, the transferor's certification is still required for every transaction. Sellers – resident or not – will need to engage with this new documentation process."

[Kelley O'Donnell](#), Associate, emphasized how the rule will likely complicate certain sophisticated deal structures. "Transactions such as like-kind exchanges or installment sales may be subject to different withholding calculations or timelines. Sellers involved in these deals should consult with legal and tax professionals early in the process to ensure compliance."

Together, these attorneys stressed that the regulation introduces strict deadlines, new documentation requirements, and potential withholding of sale proceeds. With the regulation set to take effect on November 1, 2025, they emphasized the importance of early preparation and advised closing professionals, sellers, and buyers to proactively assess upcoming transactions for compliance with the new requirements.

"Being sought out by *Banker & Tradesman* reflects the depth of PSH's Real Estate Team," said Peabody. "Our goal is always to help clients anticipate regulatory changes and position themselves for smooth, timely closings, even in a shifting legal landscape."

The full [article](#) is available to *Banker & Tradesman* subscribers.

Date Created

September 17, 2025