

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2026

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Legislative Document

No. 2182

S.P. 886

In Senate, February 3, 2026

### **An Act to Implement a Recommendation of the Commission to Recommend Methods for Preventing Deed Fraud in the State**

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Reported by Senator CARNEY of Cumberland for the Joint Standing Committee on  
Judiciary pursuant to Resolve 2025, chapter 104, section 7.

Reference to the Committee on Judiciary suggested and ordered printed pursuant to Joint  
Rule 218.

A handwritten signature in dark ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT  
Secretary of the Senate

1 Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 10 MRSA c. 213-A is enacted to read:

3 **CHAPTER 213-A**

4 **SETTLEMENT AGENT DUTY TO VERIFY SELLER OF REAL ESTATE**

5 **§1409. Definitions**

6 As used in this chapter, unless the context otherwise indicates, the following terms  
7 have the following meanings.

8 **1. Administrator.** "Administrator" means the Superintendent of Consumer Credit  
9 Protection within the Department of Professional and Financial Regulation.

10 **2. Covered real estate transaction.** "Covered real estate transaction" means a real  
11 estate transaction involving vacant land or residential real estate in the State.

12 **3. Settlement.** "Settlement" means the receipt of loan funds, loan documents or other  
13 documents or funds to carry out the contractual terms of a covered real estate transaction.

14 **4. Settlement agency.** "Settlement agency" means the person responsible for  
15 conducting the settlement or disbursement of settlement proceeds in a covered real estate  
16 transaction effecting the sale, transfer, encumbrance or lease to another person of real or  
17 personal property located in this State. "Settlement agency" includes an individual,  
18 corporation, limited liability company, partnership or other entity conducting the settlement  
19 or disbursement of settlement proceeds.

20 **5. Settlement agent.** "Settlement agent" means a person engaged in the business of  
21 settlements on behalf of a settlement agency.

22 **§1410. Verification of seller identity**

23 **1. Duty.** Beginning January 1, 2027, a settlement agent may not conduct a settlement  
24 for a covered real estate transaction unless the settlement agent has verified the identity of  
25 the person who is selling the property in accordance with the requirements set forth in rules  
26 adopted under subsection 2.

27 **2. Rulemaking.** The administrator shall adopt rules governing the duty of a settlement  
28 agent to verify the identity of the person who is selling property under subsection 1. The  
29 administrator shall consult with the Real Estate Commission under Title 32, section 13062  
30 prior to adoption or amendment of rules under this subsection. Rules adopted pursuant to  
31 this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter  
32 2-A.

33 **Sec. 2. 32 MRSA §13065, sub-§3-A** is enacted to read:

34 **3-A. Verification of seller identity.** The commission shall adopt rules governing the  
35 duty of a real estate brokerage agency to verify the identity of a seller before entering a  
36 brokerage agreement with or providing services to any client who is the seller in a real  
37 estate transaction as required by section 13177-A, subsection 3. The commission shall  
38 consult with the Superintendent of Consumer Credit Protection within the Department of  
39 Professional and Financial Regulation prior to adoption or amendment of rules under this

1 subsection. Rules adopted pursuant to this subsection are routine technical rules as defined  
2 in Title 5, chapter 375, subchapter 2-A.

3 **Sec. 3. 32 MRSA §13177-A, sub-§3** is enacted to read:

4 **3. Duty to verify identity of seller.** Beginning January 1, 2027, a real estate brokerage  
5 agency may not enter into a brokerage agreement with a seller or provide any services to a  
6 client who is the seller in a real estate transaction unless the real estate broker or an associate  
7 real estate broker or a real estate sales agent employed by or on behalf of the real estate  
8 brokerage agency has verified the identity of the seller in accordance with the requirements  
9 set forth in rules adopted by the commission pursuant to section 13065, subsection 3-A.

## 10 SUMMARY

11 This bill is reported out by the Joint Standing Committee on Judiciary to implement a  
12 recommendation of the Commission to Recommend Methods for Preventing Deed Fraud  
13 in the State established by Resolve 2025, chapter 104. The joint standing committee has  
14 not taken a position on the substance of this bill. By reporting this bill out, the joint standing  
15 committee is not suggesting and does not intend to suggest that it agrees or disagrees with  
16 any aspect of this bill; instead, the joint standing committee is reporting the bill out for the  
17 sole purpose of having a bill printed that can be referred to a joint standing committee for  
18 an appropriate public hearing and subsequent processing in the normal course. The joint  
19 standing committee is taking this action to ensure clarity and transparency in the legislative  
20 review of the proposals contained in the bill.

21 The bill provides that, beginning January 1, 2027, a real estate brokerage agency may  
22 not enter into a brokerage agreement with a seller or provide any services to a seller of real  
23 property unless the real estate broker or an associate real estate broker or a real estate sales  
24 agent employed by or on behalf of the real estate brokerage agency has verified the identity  
25 of the seller in accordance with the requirements set forth in rules adopted by the  
26 Department of Professional and Financial Regulation, Office of Professional and  
27 Occupational Regulation, Real Estate Commission. It also provides that, beginning  
28 January 1, 2027, a settlement agent may not conduct a settlement involving vacant land or  
29 residential real estate in the State unless the settlement agent has verified the identity of the  
30 seller in accordance with the requirements set forth in rules adopted by the Superintendent  
31 of Consumer Credit Protection within the department. The bill directs the commission and  
32 the superintendent to consult prior to the adoption or amendment of the rules concerning  
33 the verification of seller identity.