

What is a Declaration of Homestead?

A "Declaration of Estate of Homestead" is a type of protection for a person's residence. The form is filed at the Registry of Deeds in the county where the property is located. It allows homeowners in Massachusetts to protect their property from creditors by up to \$500,000 of the value of their primary residence, per family.

Who can file a homestead protection?

The owner or owners of a home or those who rightfully possess the premises by lease or otherwise occupy or intend to occupy the home as a principal residence may file for the homestead protection. A sole owner, joint tenant, tenant by the entirety or tenant in common may all be regarded as owners, provided that only one owner may acquire an estate of homestead in any such home. If you are married and you and your spouse own the property as tenants by the entirety, when one married person files a homestead, their spouse and family members

receive homestead protection on the premises as well.

Where do I file my homestead?

All homesteads must be filed in the county in which the residence is located. Homestead forms may be obtained at most Registries of Deeds; check your local office's Web site at www.sec.state.ma.us/rod. They are also available at legal stationery stores or your local lawyer's office.

What is the filing fee?

\$35 and you have to get the form authorized.