Commonwealth of Massachusetts
Middlesex North Registry of Deeds
360 Gorham Street
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You've Paid Off Your Mortgage

When you pay off a mortgage, the lender creates a new document called a discharge of mortgage. The lender might record the document directly at the registry of deeds or might mail it to you, leaving it to you to record the document.

If you receive the discharge of mortgage, bring it to the registry of deeds along with the recording fee of $75 (cash or check). We will record the discharge and link it to the mortgage in our records. This will show that the mortgage has been paid off and is no longer active.

If you wish to record the discharge of mortgage by mail, send the original discharge, a check for $75 payable to Registry of Deeds, and a self-addressed, stamped envelope to Middlesex North Registry of Deeds, 360 Gorham Street, Lowell, MA 01852.

Status of Your Deed

Many people arrive at the registry and say, "I just paid off my mortgage; I want my deed back." This misconstrues how real estate law works. When you purchase a home, the seller delivers the deed to the buyer who then records it at the registry of deeds. The registry makes an official copy of the deed and then returns it to the person recording. It is the buyer's attorney who records the deed and receives it back from the registry. Usually (but not always), the attorney will then return the original deed to the buyer. However, if a homeowner does not have the original deed it is not cause for concern; a certified copy of a deed from the registry of deeds has the same legal effect as the original.

How a Mortgage Works

When you borrow money to purchase a home, you sign a promissory note which is a contract between you and the lender by which you promise to repay the amount borrowed with interest in a set period of time. To ensure repayment of the loan, lenders also obtain a security interest in the real estate. This security interest is called a mortgage. A mortgage is a type of deed by which the owner of real estate conveys an interest in the property to the lender. That interest is the right to foreclose in the event of a default on the terms of the promissory note. In a foreclosure, the lender auctions the real estate to the highest bidder and uses the proceeds of that sale to pay down the amount owed on the promissory note. If the amount from the auction is more than is owed, the property owner (or junior creditors) get the balance. More likely, there will be a deficiency which means the amount from the auction is less than is owed. In that case, the full proceeds are applied to the debt, however, the homeowner/borrower is still liable for the balance owed on the promissory note. This process applies to all loans that are secured by real estate including home equity loans and lines of credit. They are still mortgages even though they may be called something else.