04

For remote sellers

The Out-of-State Seller

The Out-of-State Seller's Playbook — how to handle the whole sale without flying back to the Cape constantly.

14 pages

Brewster · Chatham · Harwich · Orleans · Eastham



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1 STEP

Build Your Local Team

Five people will do the actual work on the ground. Get them in place before the property goes on the market — not while it's listed.

1. A Lower Cape listing agent who works with remote sellers regularly

This is not a generic 'good agent.' Look for someone who has handled a meaningful number of remote sales — they will have systems, vendors, and a vocabulary for the process. Ask: 'How many out-of-state sellers did you close last year, and can I talk to two of them?'

2. A Massachusetts real estate attorney

In Massachusetts, real estate closings are run by attorneys, not title companies. Pick one before you list. They will review your purchase and sale agreement, handle the title work, prepare your closing documents, and supervise notarization of those documents. Your agent will have recommendations.

3. A trades / handyman point person

Someone who can let in the painter, meet the inspector, change a lock, replace a smoke detector battery, or solve the small in-person problems that come up weekly. This can be a contractor, a property manager, or a neighbor or family friend you trust and compensate fairly.

4. A cleanout / staging vendor

If the home is full of furniture, books, dishes, and decades of accumulation, a turnkey cleanout vendor is the most useful service you can hire. They sort, donate, dispose, and clean — in days instead of months. Get at least two quotes; pricing varies widely.

5. A Massachusetts CPA

Especially important if your sale price will be near or above $1 million — see Step 3 below on non-resident withholding.

> **Arthur's note on the local team**
>
> I work with out-of-state sellers regularly and maintain a short list of vetted Lower Cape partners — a cleanout crew, a reliable handyman, and a closing attorney comfortable with remote sessions. I'll make the introductions at the right time. You don't have to find these people cold.

2 STEP

Power of Attorney & Remote Signing

Most documents in a Massachusetts real estate sale can be signed remotely. A few cannot. Knowing the difference saves you a plane ticket — or saves you from a closing that doesn't fund.

Power of Attorney (POA)

A real-estate-specific Power of Attorney lets a trusted person sign on your behalf for the sale. This is the traditional tool for out-of-state sellers and remains valid and widely used.

- Must be drafted by a Massachusetts attorney (your closing attorney typically prepares it)
- Must specifically authorize the sale of the particular property — a generic POA may not be accepted
- Must be properly witnessed and notarized
- Must be recorded at the Barnstable County Registry of Deeds (small additional cost the closing attorney handles)
- Your designated agent signs the deed, settlement statement, and other closing documents in your place

Remote Online Notarization (RON) in Massachusetts

> **Important: confirm RON details with your closing attorney**
>
> Massachusetts has enacted Remote Online Notarization legislation. However, what specific documents may be notarized remotely, the exact attorney-supervision requirements, and lender-specific restrictions are all transaction-specific and can change. The information below is general context; your closing attorney should confirm the exact remote-signing options available for your specific transaction.

With RON, you sit at your computer, verify your ID through an approved platform, and a Massachusetts notary witnesses your signature over secure video.

> **The Massachusetts attorney-supervision rule**
>
> Massachusetts law specifically protects the role of closing attorneys — meaning notarization for documents involving a mortgage or conveyance of title typically must be done by an attorney, or by an individual under the direct supervision of an attorney. Translation: you can't hire just any notary in any state. Your closing attorney will set up the RON session and handle the rest. You log in from anywhere and sign.

In practice: many closing documents can be signed remotely via attorney-supervised RON. If your buyer is using a lender, the lender's package may still require certain documents to be physically signed. Your closing attorney will tell you in advance which are which. A POA remains the cleanest fallback if any document requires in-person execution.

3 STEP

Non-Resident Withholding

Verify withholding details with your CPA and closing attorney before accepting an offer

Massachusetts non-resident real estate withholding rules can change. The information below reflects our understanding as of 2026. Before relying on any specific rate, threshold, or deadline, ask your Massachusetts CPA and closing attorney to confirm current DOR requirements for your transaction.

If your gross sale price is $1 million or more AND you are a non-resident of Massachusetts, you are subject to Massachusetts' non-resident real estate withholding rules. Plan for this before you accept an offer.

Who it applies to

- Non-resident sellers — individual or entity — selling Massachusetts real property at a gross price of $1,000,000 or more
- Several exemption categories exist, including full-year Massachusetts residents and certain entities. Confirm your status with your CPA.

How withholding works

Election	What actually gets withheld
Default — a percentage of the gross sale price	4% of the gross sale price, plus the 4% surtax on any portion above the surtax threshold.
Optional — a percentage of the estimated net gain	5% of the estimated net gain for individuals (8% for corporations), plus the surtax where it applies.

The rule took effect for closings on or after 1 November 2025. It had originally been announced for 1 June 2025 and was postponed, so a seller who read about it in the spring of 2025 and concluded it had gone away is working from stale information. The withholding agent files Form NRW within ten days of closing.

The surtax threshold is indexed every year — $1,107,750 for 2026, $1,083,150 for 2025. It is not a flat million, and the gain on a long-held Cape house can push you over it on its own.

At closing, the buyer's closing attorney (acting as withholding agent) holds back the calculated amount and remits it to the Massachusetts Department of Revenue within the required timeframe. You then claim it as a credit on your Massachusetts non-resident tax return — exactly like wage withholding.

Worked example (illustrative)

Example: a $1.2M sale — illustrative only, not tax advice

Default method: 4 per cent of $1,200,000 = $48,000 held back at closing.

Gain-based election: if your estimated net gain is $700,000, the individual rate is 5 per cent = $35,000.

On these numbers the election leaves $13,000 in your pocket at the closing table rather than with the Department of Revenue until you file. That is the entire reason to make it, and it is why the conversation with a CPA happens before you accept an offer rather than in the week of closing.

Withholding is not an extra tax — it is credited against your Massachusetts return exactly like wage withholding. But it does leave the closing table, and it leaves from your proceeds.

Two Lower Cape numbers most sellers get wrong

Barnstable County deed excise is $6.48 per $1,000 of sale price — not the $4.56 that applies across most of Massachusetts. On an $849,000 sale that is $5,502, roughly $1,900 more than the state-standard rate would lead you to budget.

Two Lower Cape numbers most sellers get wrong *continued*

And your assessed value is not your market value. Across recent Lower Cape sales homes changed hands at 1.13 to 1.24 times assessed value — assessments here lag the market by something like 13 to 24 per cent. If you have been using the town assessment as your mental price, it is probably low.

Three moves before listing (if price may exceed $1M)

1. Talk to a Massachusetts CPA early. The gain-based election often results in a lower withholding number than the default — but requires an estimated-gain calculation in advance.

2. Make sure your closing attorney has the required transfer certification completed before closing. Your attorney will provide and walk you through this.

3. Plan the withheld amount into your net-proceeds expectation. It is refundable, but it leaves at closing.

4 STEP

Running the Sale From a Distance

Here is the week-by-week rhythm that keeps remote sales calm — and keeps you off airplanes.

Pre-listing (4–8 weeks)

- Your agent and trades point person walk the property together; you join by FaceTime or video call
- Cleanout vendor scopes the job and sends a quote and timeline
- Title 5 inspection scheduled and completed
- Light repairs, paint, and pre-listing items handled by your trades person
- Photos and 3D tour shot — review remotely; approve via email

On the market

- Weekly 20-minute call with your agent: showing activity, feedback, online metrics

What a weekly update looks like

'Week 3 Update — 14 showings, 9 with feedback. Top theme: buyers love the floor plan, asking about the deck age. Three buyers requested second showings. Recommendation: hold price, respond to the deck question with the 2019 restain receipt I have on file. No offers yet. Next update: Thursday.'

- Showing requests handled through the lockbox — you don't need to coordinate individually
- Offers presented by phone with email summary; you respond by signed email or DocuSign

Under contract

- Buyer's home inspection — your trades person can attend if you want eyes there; not required
- Title work and P&S draft handled by your closing attorney
- Negotiation of any inspection-related credits handled by your agent and you, by phone

Final 2 weeks

- Smoke and CO inspection scheduled with the local fire department; trades person attends

- Walk-through scheduled by buyer's agent; you don't attend
- Utilities scheduled to transfer to buyer the day after closing — most can be done online or by phone

Closing day

- RON session with closing attorney — typically 30–45 minutes from your computer (confirm availability with your attorney in advance)
- Wire instructions for proceeds — always confirm by phone with your attorney before sending or receiving any wire. Wire fraud is the #1 closing risk; never trust emailed wire instructions alone.
- Keys and access devices handed over via lockbox or your trades person
- Funds wired to your account; sale complete

Consider one short trip

If you have not visited the property recently, a single one-day trip 2–3 weeks before listing is often money well spent. Walk the house with your agent, agree on prep scope, meet the trades person and cleanout vendor, and answer the small in-person questions that would otherwise eat email threads for weeks. After that, you can be done in person.

A walkthrough video of your own house

If you have not stood in the property for a while, the most useful thing I can do is go and film it — slowly, room by room, including the parts you would rather not see. You get to look at your own house honestly without booking a flight.

I will send it across with a note on what I think matters before listing and what is not worth touching. No charge, and no obligation either way.

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About Arthur Radtke

I live here year-round, on the water in Orleans, and I work the five Lower Cape towns — Brewster, Chatham, Harwich, Orleans and Eastham.

What I don't have yet is a wall of testimonials. I am building this practice, and I would rather tell you that plainly than have you find it out. So I built the things I could build instead: this library, a sixteen-lesson course you can watch in full before you ever let me through your door, and a written thirty-point marketing plan that gets attached to the listing agreement — so the promises are on paper rather than in a conversation you have to remember afterwards.

About Arthur Radtke *continued*

Everything factual in this guide is sourced — the regulation, the section number, the data and where it came from. Check any of it. That is rather the point.

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Also in the Lower Cape Seller Hub:

- Guide 01 — The Lower Cape Pre-Listing Checklist
- Guide 02 — Title 5 & Flood Zone Cheat Sheet
- Guide 03 — Inherited Cape Property Starter Guide
- Guide 05 — Should I Sell This Year? Decision Worksheet
- Guide 06 — Downsizing From a Cape Home Guide
- Guide 07 — The Lower Cape Agent Interview Guide
- Guide 08 — What You'd Actually Keep

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