



COMMERCIAL REAL ESTATE INSIGHT & NEWS

The Bowditch & Dewey Real Estate Blog

Samantha McDonald and Korrin Petersen Explain Why Title Searches Don't Fully Protect Homebuyers from Environmental Risks

APRIL 2, 2026

Homebuyers – and often their attorneys – seldom undertake comprehensive environmental due diligence, such as commissioning a Phase I Environmental Site Assessment, to uncover recognized environmental conditions that could affect a property's use or trigger liability under the Massachusetts Oil and Hazardous Material Release Prevention and Response Act. Many buyers rely on the assumption that sellers will disclose issues like prior hazardous waste handling.

In Massachusetts, however, responsibility largely falls on the buyer to investigate potential environmental concerns and evaluate associated risks. [Samantha McDonald](#) and [Korrin Petersen](#) explain why a standard title search does not provide sufficient protection against these types of hazards in their *Banker & Tradesman article*. Here is an excerpt:

While a seller can't outright lie if asked about specific environmental conditions, if buyers aren't asking the right questions, buyers may be purchasing property and assuming liability for environmental conditions that far exceed their financial ability to remediate.

Read the full article "[Title Searches Won't Always Protect Your Homebuyer from Environmental Hazards.](#)"