

Affidavit in Connection with Real Property Law § 265-a
Home Equity Theft Protection Act
(Seller's Affidavit)

TITLE #:

DATE:

State of New York)
County of _____) ss:

_____, being duly sworn, deposes and says:

1. I/we reside at _____
2. I/we am/are the owner(s) of the Real Property known as _____
_____ (the "Real Property")
3. That, for purposes of compliance with the Home Equity Theft Prevention Act (RPL§265-a), deponent(s) states of his and/or her actual knowledge that:
 - a. Neither I/we am/are in default of any mortgage affecting the Real Property by reason of there being payments due and unpaid on any mortgage for two months or more.
 - b. There are no actions pending against the Real Property to foreclose a mortgage.
 - c. The Real Property is not shown on an active property tax lien sale list and all real estate taxes are paid through the next lien date.
 - d. That I/we as seller do not have a right to acquire an interest in the premises after closing, nor does a person or entity other than the purchaser have a right to acquire an interest in the premises.

I/We make this Affidavit in order to induce, indemnify, and hold harmless _____ and _____ (underwriter) (hereinafter together referred to the "Companies") knowing they are relying upon the statements made herein, and are fully entitled to rely upon, the veracity of the statements herein contained as a basis for the issuance of the title policy(ies) under the Title Number(s) referenced above and that they would not do so without this affidavit.

Sworn to before me this _____
day of _____, 20__

Notary Public