AFFIDAVIT IN CONNECTION WITH REAL PROPERTY LAW § 265-a
Home Equity Theft Protection Act
(*Subsequent Purchaser/Mortgagee Affidavit*)

State of }
County of_____ }

_____,being duly sworn does depose and say;

1. I/we reside(s) at_____.

2. I am the purchaser/mortgagee of the real property known _____("Real Property").

3. I/we are/am acquiring the Real Property from _____(the"Seller").

4. In regard to the provisions of section 265-a of the Real Property Law (the ***Home Equity Theft Protection Act***) I hereby certify and declare that your deponent, acting in good faith and for valuable consideration, the I/we

(STRIKE OUT STATEMENTS THAT DON'T APPLY)

a. am/were a bona fide purchaser, who acquired the residential Real Property from the Equity Purchaser, or
b. provided the Equity Purchaser with a mortgage, or
c. provided a subsequent purchaser from the Equity Purchaser with a mortgage on the Real Property.

That your deponent has no actual notice of continuing right to, or equity in, the property by the Equity Seller's prior to the acquisition of title or mortgage, or of any violation of § 265-a by the Equity Purchaser as related to the subject property which is based upon

a. such Equity Seller's being in default in payment of installments of interest due on any mortgage for two months or more, or
b. the commencement of a Foreclosure of a mortgage against the Equity Seller and the real property or that the Real Property appeared on a Tax Lien Sale List.
c. the failure of the contract with the Equity Seller to comply with any requirement of the Home Equity Theft Protection Act or to provide the Equity Seller with any Notice or right of redemption permitted under the said Act

at the time the Real Property was transferred to or mortgaged by the Equity Seller or a purchaser from the Equity Purchaser.

I/we give this affidavit knowing that will rely upon the truth of the statements made above.

_____

_____

Sworn and subscribed to before me this____day of _____, 20____ **_____**

_____
Notary Public-Sign and Affix Stamp