

Affidavit in Connection with Real Property Law § 265-a
Home Equity Theft Protection Act
(Equity Purchaser'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 purchaser of the Real Property known as _____
_____ (the "Real Property")
3. I am familiar with the contract of sale affecting the said Real Property.
4. The transaction is exempt from the provisions of §265-a of the Real Property Law (the Home Equity Theft Protection Act) because the real property is being purchased:

(STRIKE OUT THE FOLLOWING PROVISIONS THAT DO NOT APPLY)

- a. for use as my primary residence and I will occupy the Real Property as such; or
- b. from a referee in a foreclosure sale conducted pursuant to Article 13 of the Real Property Actions and a for valuable consideration, or Proceedings Law; or
- c. is a sale authorized by statute; or
- d. is a sale made by order or judgment of a court; or
- e. from _____ who is my spouse, grandparent, parent, child, grandchild, or sibling. *(strike out the reference which is inapplicable)*; or
- f. by a not-for-profit housing organization or a public agency.

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