**Seller’s Home Equity Theft Prevention Act Closing Affidavit**

STATE OF NEW YORK\_\_\_\_\_\_\_\_\_\_\_\_)

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) ss:

RE: Property Address: (the “Property”)

Each being duly sworn, deposes and says:

1. I (We) am (are) the Seller(s) of the Property and I (we) am (are) selling the property to:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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1. REAL PROPERTY LAW SECTION 265-a, HOME EQUITY THEFT PROTECTION ACT

*STRIKETHROUGH TO OMIT*

That, for the purposes of compliance with Real Property Law § 265-a, deponent(s) states of my (our) actual knowledge that:

1. I (We) am (are) not 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.
2. There are no actions pending against the Real Property to foreclose a mortgage.
3. The Real Property is not shown on an active property tax lien sale list and all real estate taxes
4. OTHER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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This affidavit has been executed and delivered in order to THOROUGHBRED TITLE SERVICES, LLC, its Agents, Affiliates, and Contractors (“the Company”), to remove certain possible exceptions to title set forth in the above captioned title report and to issues its policy of title insurance covering said property knowing that it will rely on the statements made herein.

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Sworn to before me this \_\_

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day of \_\_\_\_\_, 20 \_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public