

**HOME EQUITY THEFT PREVENTION ACT AFFIDAVIT
SELLER'S AFFIDAVIT**

(SELLER IN FORECLOSURE OR DEFAULT)

State of New York)
County of) ss:

_____, each being duly sworn depose(s) and say(s):

1. I am the owner of, or I am one of the owners of, _____
(insert address) (hereafter the Premises), which I am selling to
_____ (hereafter the Purchaser).

2. My primary language is _____. (Insert English, Spanish or such other language as is the affiant's primary language.)

3. The Purchaser gave me notice that I have a limited period of time to cancel the contract. The contract is dated _____, and the Purchaser advised me that I had until _____ to cancel the contract. I have not exercised my right to cancel the contract.

4. I have moved out, or will be shortly moving out of the Premises. The Purchaser has not, and will not, be leasing any part of the Premises to me. The Purchaser has not told me that I have the right to buy back the Premises, or that in any manner or under any circumstances will I be able to move back into the premises at a future date.

5. The Purchaser has not told me that he/she/it is assisting me to retain ownership of the Premises or to reacquire the Premises in the future.

6. No consideration was paid by the Purchaser to me or to my attorney until after my right to cancel the contract expired.

7. I make this affidavit knowing that _____ **Title Insurance** is relying on the truth of the statements made herein in insuring title to the Premises.

Sworn to before me on
_____, 200