

**AFFIDAVIT IN CONNECTION WITH REAL PROPERTY LAW § 265-a**  
**Home Equity Theft Protection Act**  
**(Seller's Affidavit)**

State of            }  
County of         }

being duly sworn does depose and say;

1. I/we reside at \_\_\_\_\_ .
2. I/we am/are the owner(s) of real property known as \_\_\_\_\_ (the "Real Property") and I/we am/are about to sell the Real Property to \_\_\_\_\_ .
3. That, for purposes of compliance with § 265-a of the Real Property Law (the Home Equity Theft Prevention Act), 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.

I/we give this affidavit knowing that \_\_\_\_\_ acting through \_\_\_\_\_ 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 Below**