

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

**State of New York**                    }  
**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 Executive Abstract group, Inc. 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**