

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

STATE OF NEW YORK        )  
COUNTY OF                ) ss:

RE:    Property Address: \_\_\_\_\_ (the "Property")

\_\_\_\_\_, (each) being duly sworn, deposes and says:

1.     I am/we are the purchaser(s) of the Property.
2.     I/we have entered into a contract dated \_\_\_\_\_ to purchase the Property from \_\_\_\_\_  
\_\_\_\_\_ ("Seller").
3.     I/we warrant and represent that: *(Initial all provisions which apply)*:
  - (A)    the Property is being purchased for my/our use as my/our primary residence and I/we will occupy the Property as such;
  - (B)    the Property is being purchased from a referee in a foreclosure sale conducted pursuant to Article 13 of the Real Property Actions and Proceedings Law;
  - (C)    the Property is being purchased at a sale of property authorized by statute;
  - (D)    the Property is being purchased by me/us by order of judgment of a court;
  - (E)    the Property is being purchased from \_\_\_\_\_, who is my spouse, or a grandparent, parent, child, grandchild or sibling of mine or my spouse's (strike all which do not apply);
  - (F)    the Property is being purchased by a not-for-profit housing organization or a public agency;
  - (G)    my/our purchase of the Property from Seller is not subject to the provisions of Real Property Law §265 (The Home Equity Theft Protection Act (the "Act")) because I am a bona fide purchaser for value.
4.     This affidavit is made with the knowledge that prudent purchasers, lenders and title insurers will rely upon the veracity of the statements herein made when dealing with the Property.

\_\_\_\_\_

Sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public