

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

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ }

\_\_\_\_\_, being duly sworn does depose and say;

1. I/we reside at \_\_\_\_\_.

2. I am the purchaser of the Real Property known as

\_\_\_\_\_ (the "Real Property").

3. I am familiar with the contract of sale affecting the said Real Property.

4. The transaction is exempt from the provisions of § 265-a of the Real Property Law **(the Home Equity Theft Protection Act)** because the real property is being purchased:

(STRIKE OUT THE FOLLOWING PROVISIONS THAT DO NOT APPLY)

- a. for use as my primary residence and I will occupy the Real Property as such; or
- b. from a referee in a foreclosure sale conducted pursuant to Article 13 of the Real Property Actions and a for valuable consideration, or Proceedings Law; or
- c. is a sale authorized by statute; or
- d. is a sale made by order or judgment of a court; or
- e. from \_\_\_\_\_ who is my spouse, grandparent, parent, child, grandchild, or sibling. *(strike out the reference which is inapplicable)*; or
- f. by a not-for-profit housing organization or a public agency.

I/we give this affidavit knowing that \_\_\_\_\_ 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**