Purchaser's/Mortgagor's Affidavit
Home Equity Theft Prevention Act

STATE OF NEW YORK)
)ss
COUNTY OF _____)

Title No._____

Premises:_____

The undersigned, does hereby swear, depose and state as follows:

I/We am/are not by virtue of this or any previous transaction an "Equity Purchaser" as such term is defined in the Home Equity Theft Prevention Act (RPL 265-a) for the reasons set forth below: (Please check as many as are applicable):

____ I/We will use the Premises set forth above as my primary residence.

____ I am ____ spouse, ____parent, ____grandparent, ____child, ____grandchild or ____sibling of the Equity Seller or ____such person's spouse.

____ I/We am/are purchaser(s) from the referee in a foreclosure sale conducted pursuant to Article 13 of the Real Property Actions and Proceedings Law.

____ The purchaser is a not-for-profit housing organization or a public housing agency.

____ The purchase is by order or judgment of a Court.

____ The purchase is authorized by statute.

I/We make this Affidavit in order to induce _____and Stewart Title Insurance Company (hereinafter together referred to the "Companies") knowing they are relying upon the statements made herein, and are fully entitled to rely upon, the veracity of the statements herein contained as a basis for the issuance of the title policy(ies) under the Title Number(s) referenced above and that they would not do so without this affidavit. I/We hereby agree to protect, defend, indemnify and hold the Companies forever harmless from any loss, liens, claims and costs (including, but not limited to courts costs, legal fees and expenses) which the Companies may incur as a result of the Companies' reliance upon this Affidavit.

Given under my hand and seal this ___ day of _____, 20__.

_____

_____

Sworn to before me on _____

_____
Notary Public