

1771

2009-2010 Regular Sessions

I N   S E N A T E

February 6, 2009

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Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the real property actions and proceedings law, in relation to the purchase of the premises at a mortgage foreclosure sale by a group

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 1 of section 1351 of the real property actions  
2 and proceedings law, as added by chapter 312 of the laws of 1962, is  
3 amended to read as follows:  
4     1. The judgment shall direct that the mortgaged premises, or so much  
5 thereof as may be sufficient to discharge the mortgage debt, the  
6 expenses of the sale and the costs of the action, and which may be sold  
7 separately without material injury to the parties interested, be sold by  
8 or under the direction of the sheriff of the county, or a referee. THE  
9 JUDGMENT SHALL DIRECT THAT IN THE EVENT SUCH PREMISES IS PURCHASED  
10 COLLECTIVELY BY MORE THAN ONE INDIVIDUAL, THE NAMES OF EACH INDIVIDUAL  
11 PURCHASER SHALL BE DISCLOSED IN WRITING TO SUCH SHERIFF OR REFEREE.  
12     S 2. This act shall take effect on the thirtieth day after it shall  
13 have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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