

3593

2009-2010 Regular Sessions

I N   A S S E M B L Y

January 27, 2009

---

Introduced by M. of A. CLARK, BENEDETTO, GREENE, COLTON, SPANO,  
P. RIVERA, J. RIVERA, FIELDS, ROBINSON, ESPAILLAT, HOOPER -- Multi-  
Sponsored by -- M. of A. ALFANO, BOYLAND, COOK, DelMONTE, FINCH, KOLB,  
KOON, MAISEL, MAYERSOHN, SWEENEY, THIELE, WALKER, WEISENBERG -- read  
once and referred to the Committee on Housing

AN ACT to amend the real property actions and proceedings law, in  
relation to right of redemption in a foreclosure action of a residence

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

1     Section 1. The real property actions and proceedings law is amended by  
2     adding a new section 1352-a to read as follows:  
3     S 1352-A. RIGHT OF REDEMPTION IN AN ACTION TO FORECLOSE A MORTGAGE ON  
4     A RESIDENCE. AT ANY TIME WITHIN ONE YEAR FROM THE TIME OF THE ENTERING  
5     OF A JUDGMENT IN AN ACTION TO FORECLOSE A MORTGAGE, THE MORTGAGOR, IF  
6     THE REAL PROPERTY FORECLOSED IS THE RESIDENCE OF THE MORTGAGOR, MAY CURE  
7     THE INDEBTEDNESS BY PAYING THE AMOUNT OF MONEYS SPECIFIED IN THE JUDG-  
8     MENT PLUS THE REASONABLE EXPENSES OF THE PROCEEDING TO FORECLOSE  
9     INCURRED TO THE TIME OF TENDER, INCLUDING REASONABLE ATTORNEY'S FEES OF  
10    THE MORTGAGEE.  
11    S 2. This act shall take effect immediately.

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

LBD07170-01-9