

6541

I N   S E N A T E

February 23, 2012

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

AN ACT to amend the real property law, in relation to prohibiting mort-  
gagee from refusing to accept partial mortgage payments

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

1     Section 1. The real property law is amended by adding a new section  
2     254-e to read as follows:  
3     S 254-E. REFUSAL BY MORTGAGEE TO ACCEPT PARTIAL MORTGAGE PAYMENTS. 1.  
4     NO MORTGAGEE SHALL REFUSE TO ACCEPT A PARTIAL PAYMENT OF AN ENTIRE  
5     AMOUNT DUE FROM A MORTGAGOR WHICH DOES NOT BRING THE MORTGAGOR CURRENT  
6     ON HIS OR HER MORTGAGE DEBT.  
7     2. THE PROVISIONS OF THIS SECTION SHALL NOT BAR ANY OTHER CONTRACTUAL  
8     OR STATUTORY RIGHTS OR REMEDIES AVAILABLE TO A MORTGAGOR.  
9     S 2. This act shall take effect on the thirtieth day after it shall  
10    have become a law.

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

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