S T A T E O F N E W Y O R K

317

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

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 mortgagee from refusing to accept partial mortgage payments

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

Section 1. The real property law is amended by adding a new section 254-e to read as follows:

S 254-E. REFUSAL BY MORTGAGEE TO ACCEPT PARTIAL MORTGAGE PAYMENTS. 1. NO MORTGAGEE SHALL REFUSE TO ACCEPT A PARTIAL PAYMENT OF AN ENTIRE AMOUNT DUE FROM A MORTGAGOR WHICH DOES NOT BRING THE MORTGAGOR CURRENT ON HIS OR HER MORTGAGE DEBT.

2. THE PROVISIONS OF THIS SECTION SHALL NOT BAR ANY OTHER CONTRACTUAL OR STATUTORY RIGHTS OR REMEDIES AVAILABLE TO A MORTGAGOR.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.

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

LBD01005-01-3