

STATE OF NEW YORK

5923--A

2021-2022 Regular Sessions

IN ASSEMBLY

March 2, 2021

Introduced by M. of A. ZINERMAN, SILLITTI, NOLAN, DICKENS, TAYLOR, JACKSON -- read once and referred to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property actions and proceedings law, in relation to requiring a plaintiff in a mortgage foreclosure action to maintain the subject property

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as "The Good
2 Neighbor Act".

3 § 2. Subdivision 1 of section 1307 of the real property actions and
4 proceedings law, as added by chapter 507 of the laws of 2009, is amended
5 to read as follows:

6 1. A plaintiff [~~is~~] who commences a mortgage foreclosure action [~~who~~
7 ~~obtains~~], including a lender, an assignee or a mortgage loan servicer,
8 seeking a judgment of foreclosure and sale pursuant to section thirteen
9 hundred fifty-one of this article, involving residential real property,
10 as defined in section thirteen hundred five of this article, that is
11 vacant, or becomes vacant after commencement of the action or the issu-
12 ance of such judgment, or is abandoned by the mortgagor but occupied by
13 a tenant, as defined under section thirteen hundred five of this arti-
14 cle, shall maintain such property until such time as ownership has been
15 transferred through the closing of title in foreclosure, or other dispo-
16 sition, and the deed for such property has been duly recorded; provided,
17 however, that if a municipality or governmental entity holds a mortgage
18 subordinate to one or more mortgages on the residential real property,
19 the municipality or governmental entity shall not be subject to the
20 requirements of this section.

21 § 3. This act shall take effect immediately.

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

LBD08533-03-1