

# STATE OF NEW YORK

1579--A

Cal. No. 197

2021-2022 Regular Sessions

## IN SENATE

January 13, 2021

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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.

LBD08533-02-1