

# STATE OF NEW YORK

4623

2025-2026 Regular Sessions

## IN ASSEMBLY

February 4, 2025

Introduced by M. of A. SEMPOLINSKI -- read once and referred to the  
Committee on Judiciary

AN ACT to amend the real property law, in relation to excluding certain  
real property conveyances from the written notice requirement

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

1 Section 1. Section 291 of the real property law, as amended by chapter  
2 641 of the laws of 2019, is amended to read as follows:  
3 § 291. Recording of conveyances. A conveyance of real property, within  
4 the state, on being duly acknowledged by the person executing the same,  
5 or proved as required by this chapter, and such acknowledgment or proof  
6 duly certified when required by this chapter, may be recorded in the  
7 office of the clerk of the county where such real property is situated,  
8 and such county clerk or city registrar where applicable shall, upon the  
9 request of any party, on tender of the lawful fees therefor, record the  
10 same in said office. Every such conveyance not so recorded is void as  
11 against any person who subsequently purchases or acquires by exchange or  
12 contracts to purchase or acquire by exchange, the same real property or  
13 any portion thereof, or acquires by assignment the rent to accrue there-  
14 from as provided in section two hundred ninety-four-a of this article,  
15 in good faith and for a valuable consideration, from the same vendor or  
16 assignor, [~~his~~] such vendor or assignor's distributees or devisees, and  
17 whose conveyance, contract or assignment is first duly recorded, and is  
18 void as against the lien upon the same real property or any portion  
19 thereof arising from payments made upon the execution of or pursuant to  
20 the terms of a contract with the same vendor, [~~his~~] such vendor's  
21 distributees or devisees, if such contract is made in good faith and is  
22 first duly recorded. Notwithstanding the foregoing, any increase in the  
23 principal balance of a mortgage lien by virtue of the addition thereto  
24 of unpaid interest in accordance with the terms of the mortgage shall  
25 retain the priority of the original mortgage lien as so increased

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

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1 provided that any such mortgage instrument sets forth its terms of  
2 repayment. The clerk of the county or city registrar where such convey-  
3 ance of residential real property is recorded and maintained shall mail  
4 a written notice of such conveyance to the owner of record. The notice  
5 shall have the heading printed in 20 point bold type and read as  
6 follows:

7 "NOTICE OF SALE OR TRANSFER OF OWNERSHIP OF YOUR RESIDENTIAL PROPERTY.

8 To: \_\_\_\_\_  
9 Name of owner of record

10 Our records show that you are listed as the current owner of record for  
11 residential property:

12 Block # \_\_\_\_\_ Lot # \_\_\_\_\_

13 Located At: \_\_\_\_\_  
14 street address

15 in the county of \_\_\_\_\_ New York

16 On \_\_\_\_\_, documents were filed at this  
17 date

18 office to change ownership and transfer title of your property.

19 To: \_\_\_\_\_  
20 name of new owner

21 If you have any questions regarding the validity of the documents, and  
22 wish to dispute the recording of the transfer, you should obtain legal  
23 counsel. If you believe you are a victim of a crime related to this  
24 recording, contact your local law enforcement agency or, if in the City  
25 of New York, the office of the sheriff."

26 The party seeking to record such conveyance shall bear the cost of such  
27 written notice. The clerk of the county or city registrar is entitled to  
28 charge a reasonable fee to cover the cost of mailing the envelope to the  
29 owner of record. Failure to mail such notice or the failure of any party  
30 to receive the same, shall not affect the validity of the conveyance of  
31 the property. Conveyances by the state of New York or any of its poli-  
32 tical subdivisions in conjunction with a foreclosure of a tax lien  
33 pursuant to a proceeding in rem under title three of article eleven of  
34 the real property tax law shall not require written notice.

35 § 2. This act shall take effect immediately.