STATE OF NEW YORK

9352

2025-2026 Regular Sessions

IN ASSEMBLY

December 19, 2025

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

AN ACT to amend the real property actions and proceedings law, in relation to directing how certain valuations and computations of the amount due are calculated in certain foreclosure actions

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

Section 1. Section 1321 of the real property actions and proceedings law is amended by adding a new subdivision 3 to read as follows:

3. Where a referee is directed to compute the amount due under this section, the referee shall:

(a) reflect all sums owing under the note and mortgage as of the date of the proposed judgment amount, except as otherwise ordered by the court for good cause shown.

(b) itemize the computation in a form prescribed by the chief administrative judge, including, but not limited to, any:

(i) unpaid principal balance;

(ii) accrued interest with applicable rates and date ranges;

(iii) advances for taxes, insurance, and property preservation;

(iv) contractual fees and charges; and

(v) court-approved costs and disbursements.

(c) only include items supported by documentation submitted by the foreclosing plaintiff that would be admissible as evidence; provided, however, where there is an absence of adequate documentation for an item, the referee shall refer the issue to the court.

§ 2. The real property actions and proceedings law is amended by adding a new section 1351-a to read as follows:

§ 1351-a. Valuation date standard for sale and deficiency calculations. For all foreclosure sales under this article, the amount due on the debt, and any subsequent calculation for deficiency or surplus distribution pursuant to sections thirteen hundred sixty-one or thirteen

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

LBD14164-02-5

hundred seventy-one of this article, shall be computed using the valuation date of the date the property is bid on at public auction; provided, however, where the court expressly orders a different valuation date upon application of any party for good cause shown, such date shall be used as the valuation date.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.