

HOME EQUITY THEFT PREVENTION ACT AFFIDAVIT
SELLER'S AFFIDAVIT

(SELLER IN FORECLOSURE OR DEFAULT)

State of _____)
County of _____) ss:

_____, each being duly sworn depose(s) and say(s):

1. I am the owner of, or I am one of the owners of, _____
(insert address) (hereafter the Premises), which I am selling to _____
_____ (hereafter the Purchaser).
2. My primary language is _____. (Insert English,
Spanish or such other language as is the affiant's primary language.)
3. The Purchaser gave me notice that I have a limited period of time to cancel the contract. The
contract is dated _____, and the Purchaser advised me that I had until
_____ to cancel the contract. I have not exercised my right to cancel the
contract.
4. I have moved out, or will be shortly moving out of the Premises. The Purchaser has not, and
will not, be leasing any part of the Premises to me. The Purchaser has not told me that I have the
right to buy back the Premises, or that in any manner or under any circumstances will I be able to
move back into the premises at a future date.
5. The Purchaser has not told me that he/she/it is assisting me to retain ownership of the
Premises or to reacquire the Premises in the future.
6. No consideration was paid by the Purchaser to me or to my attorney until after my right to
cancel the contract expired.
7. I make this affidavit knowing that _____ is relying on the truth
of the statements made herein in insuring title to the Premises.

Sworn to before me on

_____, 20____

HOME EQUITY THEFT PREVENTION ACT AFFIDAVIT
SELLER'S AFFIDAVIT

(SELLER **NOT** IN FORECLOSURE OR DEFAULT)

State of _____)
County of _____) ss:

_____, each being duly sworn depose(s) and say(s):

1. I am the owner of, or I am one of the owners of, _____
(insert address) (hereafter the Premises), which I am selling to
_____ (hereafter the Purchaser).

2. I am not in default in making any payments under my mortgage. There is no action to
foreclosure any mortgage on the Premises. I am not in arrears in any real estate taxes due against
the property.

3. I make this affidavit knowing that _____ is relying
on the truth of the statements made herein in insuring title to the Premises.

Sworn to before me on

_____, 20____

HOME EQUITY THEFT PREVENTION ACT AFFIDAVIT

PURCHASER'S AFFIDAVIT

State of _____)
County of _____) ss:

_____, each being duly sworn depose(s) and say(s):

1. I am the purchaser of, or I am the _____
(insert interest in purchaser if it is not an individual)

of the purchaser (hereafter the Purchaser) of _____

(insert address) (hereafter the Premises), which I am buying from

_____ (hereafter the Seller).

2. I have no notice or knowledge that any prior owner of the Premises has a continuing right to, or equity, in the Premises.

3. I have no notice or knowledge of any violation of the Home Equity Theft Prevention Act by the Seller.

4. I have been to the Premises and the Premises are now vacant, or if the Premises are not vacant, the Seller is NOT occupying the Premises.

5. (Delete if not applicable) I am buying the Premises to use as my primary residence.

6. I make this affidavit knowing that _____ is
relying on the truth of the statements made herein in insuring title to the Premises.

Sworn to before me on

_____, 20____