

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. 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____

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