**NOTE- THIS DOCUMENT MAY NOT BE RECORDED WITHOUT THE EXPRESS AUTHORITY OF THE UNDERSIGNED**

**POST-FORECLOSURE AFFIDAVIT REGARDING VACANCY**

**Property Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Mortgage:** Mortgage from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_dated\_\_\_\_\_\_\_\_\_\_\_, recorded in Book \_\_\_\_\_\_, Page \_\_\_\_\_/filed as document # \_\_\_\_\_\_\_ , as assigned to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, recorded in Book \_\_\_\_\_\_, Page \_\_\_\_\_/filed as document # \_\_\_\_\_\_\_

**Foreclosing Mortgagee:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Foreclosure Sale Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

The undersigned, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, having personal knowledge of the facts herein stated, under oath deposes and says as follows:

1. I am:

**[Check One]**

[ ] An officer or employee of Foreclosing Mortgagee, where I hold the office or position of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

[ ] An officer or employee of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (Name of Servicer), a duly authorized agent of Foreclosing Mortgagee, under a Power of Attorney which is still in full force and effect as of the date hereof .

1. In the regular performance of my job functions, I am familiar with business records maintained by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (NAME OF SERVICER) for the purpose of servicing mortgage loans. I have acquired personal knowledge of the information contained in this affidavit as a result of my review of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(NAME OF SERVICER)’s business records. These records (which include data compilations, electronically imaged documents, servicing and loan payment histories and others) are accurate and reliable because they are made at or near the time by, or from information provided by, persons with knowledge of the activity and transactions reflected in such records, and are kept in the course of business activity conducted regularly by \_\_\_\_\_\_\_\_\_\_\_\_\_(NAME OF SERVICER). To the extent records related to the loan come from another entity, those records were received by \_\_\_\_\_\_\_\_\_\_\_\_\_\_(NAME OF SERVICER) in the ordinary course of its business, have been incorporated into and maintained as part of NAME OF SERVICER’s business records, and have been relied on by \_\_\_\_\_\_\_\_\_\_\_\_(NAME OF SERVICER). It is the regular practice of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(NAME OF SERVICER)’s mortgage servicing business to make and maintain these records.
2. Based upon my review of the business records of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(NAME OF SERVICER), I certify:

[ ] Said property located at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_is currently vacant and/or

abandoned within the meaning of Chapter 65 of the Acts of 2020, and any lawful

extensions thereof, and section 4022 of the federal CARES Act, including any lawful

extensions thereof, and any specific individual federal moratoriums, including any lawful extensions thereof.

[ ] Said property located at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_was vacant for a continued and uninterrupted period, and/or abandoned, from the time (NAME OF SERVICER) proceeded with the foreclosure and completed the sale during any state or federal moratorium.

[ ] Said property located at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_was determined to be vacant and/or abandoned based on (please include **ALL** information that applies or indicate **N\A** – leave no lines blank):

1. The property having been secured on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, at which time water and electricity to the property were turned off, if applicable. See attached work order if available.
2. Follow up inspections, if any, were completed on \_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_, and \_\_\_\_\_\_\_\_\_\_\_\_\_\_, with no change in vacancy and no requests having been received from the borrower(s) to regain access. See attached copies of said work order(s).
3. Notification from the borrower that he/she was(were) no longer occupying the property:
   1. [ ] Yes – notification received by servicer on \_\_\_\_\_\_\_\_\_\_\_\_\_\_.
   2. [ ] No

Signed under the pains and penalties of perjury this \_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_

|  |  |
| --- | --- |
|  | Foreclosing Mortgagee or Name of Servicer  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Affiant Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, ss

On this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 20\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_proved to me through satisfactory evidence of identification, which was/were \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to be the person who signed the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of (his) (her) knowledge and belief.

[SEAL]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public

Print Name:  
My Commission Expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_