

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF _____

,
Plaintiff

INDEX NO: _____

-against-

**VERIFIED ANSWER TO
FORECLOSURE COMPLAINT**

,
Defendant.

Defendant _____ **answers as follows:**

- ☐ General Denial.

I plead the following Defenses and Affirmative Defenses:

- ☐ Lack of Standing to Sue:
- ☐ Plaintiff does not have standing to sue because it was not the legal owner of the Note and/or Mortgage at the time it commenced this foreclosure lawsuit.
 - ☐ I have no knowledge that the plaintiff was assigned my debt or there was no Affirmative Allegation of Standing (NY Real Property Actions and Proceedings Law § 1302, high-cost and subprime home loans): Plaintiff failed to allege in the Foreclosure Complaint that it is the legal owner and holder of the Note and/or Mortgage or has the authority to foreclose.
- ☐ Improper Service of the Summons and Complaint (NY Civil Practice Law and Rules Section 308) because I was not served in any of the following three methods.
1. A copy of the Summons and Complaint were not handed to me in person; OR
 2. A copy of the Summons and Complaint were not left at my home or business with a “person of suitable age and discretion” with another copy mailed within 20 days to your home or business; OR
 3. A copy of the Summons and Complaint were not attached to my home or business door, with another copy mailed within 20 days to my home or business.

- ☐ I did not receive the notice of default required by my mortgage agreement, and the mailing of this notice is a condition precedent to the foreclosure.