

***TO BE COMPLETED FOR EVERY SALE BY COURT APPOINTED REFEREE  
AND FILED WITH COUNTY CLERK AND CHAMBERS WITHIN 30 DAYS OF SALE***

**FORECLOSURE ACTION SURPLUS MONIES FORM**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

NYCTL 2021-A TRUST AND THE BANK OF NEW  
YORK MELLON, AS COLLATERAL AGENT AND  
CUSTODIAN,

Part 32

Plaintiffs,

Hon. Francis A. Kahn III,  
J.S.C.

v.

Index No. 158989/2022

NING FANG A/K/A NINA FANG;  
BOARD OF MANAGERS OF ORION  
CONDOMINIUM;  
BOARD OF MANAGERS OF THE RESIDENTIAL  
UNIT OWNERS OF THE ORION  
CONDOMINIUM;  
CRIMINAL COURT OF THE CITY OF NEW YORK;  
NEW YORK CITY ENVIRONMENTAL CONTROL  
BOARD;  
NEW YORK CITY PARKING VIOLATIONS  
BUREAU  
AND NEW YORK CITY TRANSIT AUTHORITY  
TRANSIT ADJUDICATION BUREAU,

Defendants.

**Property Address:** 350 West 42nd Street, #27D, New York, New York  
**Sale Date:** May 7, 2025

A. Were there surplus funds? ☐ Yes ☐ No

B. To be completed by the Referee

Amount of final judgment of foreclosure	\$ 109,745.84
Sale price of property	\$ 730,000
Upset price	\$ 175,811.16
Surplus amount	\$ 554,188.84

C. To be completed by Referee conducting the sale (please print)

Name: JAFH Miller Telephone: \_\_\_\_\_  
Address: 5 Miller @ Miller Lane, Fl 5  
E-mail Address: 32 Broadway, New York, NY 10013  
Signature and Date: [Signature] 5/7/25

D. To be completed by Plaintiff's Representative

Name (please print): **John O'Keefe**  
Address: **Pinnacle Court Service**  
**49 Andrew Ave**  
**Islip Terrace, NY 11752**  
E-mail Address: **631.804-7716**  
Telephone: \_\_\_\_\_

Signature and Date: \_\_\_\_\_  
[Signature]E. To be completed by Purchaser

Name (please print): \_\_\_\_\_  
Address: 606 W 42nd St, S24  
New York, NY 10036  
E-mail Address: \_\_\_\_\_  
Telephone: 347 5830807

Signature and Date: \_\_\_\_\_  
Josephine Pettilano, May 7<sup>th</sup>, 2025

## INSTRUCTIONS TO CHAMBERS

- \* The Referee will complete the attached form and secure the signature of the Plaintiff's representative and purchaser or purchasers representative.
- \* The form will include the following information: case caption; name, address and telephone number of the Referee, the Plaintiff's representative and the purchaser; sale price; and upset price. The form must be signed by the Referee, the Plaintiff's representative and the purchaser of the foreclosed property.
- \* The Referee will deliver, within 30 days after the auction, the completed, signed form to the County Clerk. The Referee will also send a completed copy to the Chambers of the Justice who signed the Judgment of Foreclosure. Chambers staff for the Judge, Court Attorney-Referee or JHO who signed the Judgment of Foreclosure and Sale shall verify compliance.
- \* All foreclosure cases will be calendared, no later than six months after the Judgment has been signed, before the Judge who appointed the Referee (or before a Court Attorney-Referee or a JHO). This is to determine whether the sale as ordered has occurred, the outcome, and to make such further orders as necessary.