

# RECORDING REQUIREMENTS

- A. All Documents:**
- Each document must have the NYC standard cover page attached.
  - Must be dated.
  - Names and addresses of all parties must be given in captions. (Include zip codes)
  - All parties must sign documents & names in caption must coincide with signatures & names in acknowledgments.
  - Must be acknowledged or proved and notarized.
  - Must have a complete acknowledgment with date, venue, names of all parties and notary.
  - County, Block, Lot, and Property Address must be clearly indicated on first or last page of instrument. (Please add Title Company and Title # to this area)
  - Record and Return to address must also be included on first or last page of instrument.
- B. Deeds: (In addition to A)**
- All required attachments to deed must be included.
  - Schedule A Description must be attached to deed.
  - All applicable transfer taxes must be paid.
- C. Mortgages: (In addition to A)**
- Maximum amount secured by loan must be clearly stated on first page of document.
  - Schedule A Description must be attached.
  - Property type clause must be indicated:
    - “Said premises is or will be improved by a 1 or 2 family dwelling only.”
    - OR “Said premises (are)/(are not) improved by a 1-6 family dwelling each having its own separate cooking facility.”
  - Total mortgage tax must be paid.
  - If exemption is claimed, duplicate original affidavits citing all details & reference to specific law must be included.
- D. Correction Deeds: (In addition to A and B)**
- Must be labeled “Correction Deed”
  - A clause indicating what is being corrected must be included.
  - Reference to the recording information of the deed it is correcting – complete with recording date and liber/reel and page of instrument must be made.
- E. Correction Mortgages: (In addition to A and C)**
- Must be labeled “Correction Mortgage”
  - Must have a clause indicating what is being corrected.
  - Must cite the recording information of the mortgage it is correcting – complete with recording date and liber/reel and page of instrument.
  - Section 255 affidavits must be attached. (see page 10 for requirements)
- F. Assignment of Mortgage: (In addition to A and C)**
- The recording information of the mortgage being assigned must be in the assignment document.
  - Unless an assignment within the secondary mortgage market as defined in Real Property Law Section 275 (2) (a), there must be in the assignment document or attached thereto a statement under oath signed by the mortgagee or any other party with knowledge of the facts that the assignee is not acting as a nominee of the mortgagor and that the mortgage continues to secure a bona fide obligation.
- G. Consolidation/Modification/Extension Agreement: (In addition to A)**
- Complete information regarding the mortgages being consolidated must be recited, including parties to mortgages.
  - The maximum amount secured must be recited in the agreement.
  - If an exemption from the mortgage tax is claimed, the appropriate affidavit must be filed in duplicate original form and must include necessary information pertaining to transaction. (See Affidavits & their requirements on page 10)
- H. Satisfaction of Mortgage: (In addition to A)**
- The recording information and amount secured of the mortgage to be discharged must be provided.
  - All assignments, consolidations, etc. must be recited in detail in document. Chain must be complete.
  - All satisfactions must be signed, acknowledged and notarized.
  - The parties signing the satisfaction document MUST be the last holders of the mortgage.

## NOTE:

1. If the mortgage is to be discharged by an executor or administrator of an estate, the caption must recite the name of the court and venue of the proceedings in which the letters testamentary or of administration were issued.
2. If heirs and/or distributees are holders of the mortgage, the caption must recite the date of death, place of residence at the time of death, the fact that the decedent died intestate, that no administrator has been appointed and they constitute all distributees of the intestate.