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**Date:** July 17, 2009  
**To:** All Clients and Friends  
**From:** Cliff Bernstein  
**Re:** Revised Affidavit in Lieu of Registration Statement

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**NEW YORK  
TITLE BULLETIN**

## Revised Affidavit in Lieu of Registration Statement

A Registration Statement, also known as a "Preliminary Residential Property Transfer Form", is required to be filed when recording a deed or a lease of a building which is a multiple dwelling in New York City, unless an affidavit is submitted that the premises is not a multiple dwelling. Effective May 3, 2009, pursuant to the requirements of Local Law 56 of 2008, a Registration Statement is required to be filed for all one-and-two family dwellings "when neither the owner nor any family member occupies the dwelling". It appears that a Registration Statement is now required when neither the owner nor any family member occupies a multiple dwelling.

A "family member" for this purpose is defined to include "an owner's spouse, domestic partner, parent, parent-in-law, child, sibling, sibling-in-law, grandparent or grandchild". The Local Law, which amends Sections 27-2097 ("Registration; time to file"), 27-2098 ("Registration statement; contents") and 27-2099 ("Registration statement; change of ownership or title") of the City's Administrative Code, can be obtained at [http://www.nycouncil.info/pdf\\_files/bills/law08056.pdf](http://www.nycouncil.info/pdf_files/bills/law08056.pdf).

The Department of Housing Preservation and Development has issued a [revised Affidavit in Lieu of Registration](#). The City Register advises that the prior form of Affidavit will be accepted by her office until the end of July.

Accordingly, effective immediately, at all closings when an Affidavit in Lieu of Registration Statement is required to be filed with the instrument being submitted for recording, the revised form of Affidavit must be used.

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