

Application in a Residential Foreclosure Case for Waiver of Court Fees and Costs and Discretionary Assignment of a Lawyer [CPLR 1101, 1102, and 3408(b)]

POOR PERSON AFFIRMATION (07/2024)Page 1 of 3 nycourthelp.gov

Supreme Court County of _____ **Index Number:** Plaintiff(s) **Property Address:** -against-Defendant(s)

Notes & Instructions:

- You must complete Section A and submit this form to be considered for what is called "poor person" status.
- As part of this "poor person" application, you are requesting that the court waive the fees and costs associated with your case, and you are also requesting that the court assign a lawyer to represent you. It is solely within the judge's discretion whether a lawyer is assigned.
- You are not automatically disqualified from getting "poor person" status just because you are a homeowner.
- You may be asked to provide additional financial documentation before the judge makes a decision. For example, bank statements, paystubs, etc.

State of New York, County of

I have read the notice provided to me by the court explaining my rights under CPLR 3408(b), and (check one):

I wish to submit this affirmation in support of my application for a waiver of court fees and costs under CPLR 1101 and for a court-assigned lawyer to represent me in this case under CPLR 1102 (complete Sections A and B).

I wish to withdraw my application for a waiver of court fees and costs under CPLR 1101 and for a court-assigned lawyer to represent me in this case under CPLR 1102 (skip Section A and complete Section B).

Section A: Financial Information and Request for Court-Assigned Lawyer

- I am a defendant in this residential foreclosure case.
- 2. I am not represented by a lawyer.
- 3. I make this statement in support of my request for a waiver of all court fees and costs and for a court-assigned lawyer to represent me.
- 4. The property address given above, which is the subject of this case, is my primary residence.
- 5. The estimated value of my primary residence is: \$. .
- 6. The total outstanding principal balance (not including interest, late fees, etc.) of any mortgage(s) and/or other liens on this property is: \$



7. I have the following income, assets, and real property in addition to my primary residence (check all that apply): **NOTE:** Do not include account numbers, account passwords, or social security numbers.

| Income | Source: | | Monthly Amount: | |
|-------------|--|-------|------------------------|--|
| | Wages | | \$ | |
| | Spousal support (also known as alimony) | | | |
| | Social Security/SSI/SSID | | | |
| | \$ | | | |
| | Other (specify): | | \$ | |
| Bank | Type: | | Current Total Balance: | |
| Account(s) | Checking account(s) | \$ | | |
| | Savings account(s) | | \$ | |
| Cash, | Type: | | Current Total Balance: | |
| Bonds, | Cash | | \$ | |
| Securities, | Bonds | | \$ | |
| and Other | Securities | | \$ | |
| Investments | Other (specify): | | \$ | |
| Other Real | Address(es) (do not include the property that is the subject | | Total Estimated | |
| Estate | Estate of this case): | | | |
| | | | • | |
| | | | \$ | |
| Vehicles | Type: | | Estimated Market | |
| | | | Value (minus any | |
| | Moko Model | Voor | unpaid loan amount): | |
| | Make Model | | \$ | |
| | Make Model | | \$ | |
| | Make Model Make Model | | \$ | |
| | Make Model | Year: | Φ | |

8. My estimated current monthly expenses are as follows:

| Housing | Type: | Monthly Amount: |
|--------------------------|---|-----------------|
| (list amounts | Mortgage payment before foreclosure | \$ |
| for primary | Real property taxes | \$ |
| residence only) | Homeowners' insurance | \$ |
| Offiy) | Homeowners' association/condominium fees, | |
| | maintenance, and repairs | \$ |
| Utilities | Include internet, phone, water, gas, electric service, and | Monthly Amount: |
| | heating | \$ |
| | Type: | Monthly Amount: |
| (include | Out-of-pocket medical or dental expenses | \$ |
| expenses for dependents) | Health insurance premiums | \$ |
| dependents) | Child support payments | \$ |
| | Transportation (including public transportation fares, insurance, car loan payments, gas) | \$ |
| | Spousal support payments (also known as alimony) | \$ |
| | Education | \$ |
| | Childcare | \$ |
| | Other (specify): | \$ |

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|--|--|--|-----------------------|--|--|--|
| li | 9. I am responsible for financially supporting other people (check one): Yes or No If yes, list each dependent's age and provide details about your relationship with each dependent NOTE: Do not include dependents' names or dates of birth. | | | | | |
| | Age | Relationship | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| _ 10.1 | have no | o other income, savings, real pr | operty, or assets oth | er than those listed above. | | |
| 11.I | am una | | • | fend my rights in this residential | | |
| 12.I | cannot | afford to hire an attorney to rep | resent me in this cas | se. | | |
| | | else who is able to pay the requor of this case. | ired court fees and c | costs has a beneficial interest in the | | |
| 14.I | intend to | o assert certain rights and defe | nses in this case. | | | |
| | | ot made a prior application for a this case. | waiver of court fees | and costs and the assignment of a | | |
| | underst | and that the court must conside | er my application but | has discretion in deciding whether to | | |
| t t | according he public | g to any appliable statutory req | uirements and rules | ancial information to be redacted if this application is made available to nust provide additional copies with the | | |
| Sec | ction B: | Affirmation and Signature | | | | |
| I affirm this day of,, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law. | | | | | | |
| | | | | Signature | | |
| | | | | Print Name | | |
| | | | | | | |
| For Court Use Only | | | | | | |
| (optional: check and complete if applicable) | | | | | | |
| | | e initial settlement conference, any required supporting docume | | ot submitted a completed application | | |

Application provided to the defendant and settlement conference adjourned to _____