

QUEENS COUNTY SUPREME COURT
FORECLOSURE AUCTION RULES

Foreclosure auctions resulting from judgments of foreclosure and sale or partition judgments are held at the Queens County Supreme Courthouse located at 88-11 Sutphin Boulevard, Jamaica, NY, on the second floor in Courtroom 25 at 10:00 AM on Fridays. These auctions apply to the sale of real property. They do not include the sale of co-operative apartments.

Neither the Court nor County Clerk's Office provides lists of properties up for sale. The attorney for plaintiff, which can be found by searching the County Clerk's minutes by Index Number, can be contacted for information regarding the scheduled sale date. Additionally, notices of all scheduled auctions are published in the legal section of local newspapers at least 30 days in advance.

Representatives for the plaintiff shall fax case details to 718-298-1171 (see Auction Sheet under Forms at Home page) to the Residential Foreclosure Part one day before the scheduled auction.

The Terms of Sale, including any known encumbrances, must be posted outside of the courtroom no later than 9:30 AM of the day of sale.

The Referee and all interested parties must be present in the courtroom on the scheduled published date at 9:45 AM. The referee must submit a completed affidavit prior to the auction (see Referee Affidavit under Forms at Home page).

Referees will accept either 1) cash; or 2) certified bank check made payable to the Referee. All bidders must have proof of identification and will be required to stand and state their name at the time the bid is made.

A successful bidder must have in his/her possession at the time of the bid the full 10% of the sum bid, in cash or certified bank check to be made payable to the Referee.

A Foreclosure Action Surplus Monies Form (see Surplus Monies Form under Forms at Home page) must be completed by the Referee conducting the sale, plaintiff's representative and the purchaser for all auctions resulting in a potential surplus at the auction.

Within thirty days after completing the sale and executing the proper conveyance to the purchaser, the Referee conducting the sale shall file with the clerk his/her report under oath of the disposition of the proceeds of the sale, accompanied by the vouchers of the persons to whom payments were made (RPAPL 1355). If the Report of Sale is not filed with the County Clerk's Office within 90 days of sale, contact the Fiduciary Clerk (Al Lowe) at 718-298-1103 to advise.

Bidders are cautioned that the failure to pay the full purchase price bid and appropriate closing costs at a closing to be scheduled within thirty (30) days following the auction may result in the forfeiture of the 10% deposit.

If the successful bidder defaults in concluding the transaction at the purchase price, he/she may be liable for the difference if the property is subsequently sold at auction for a sum which is inadequate to cover all items allowed in the Final Order and Judgment.

It is the responsibility of the bidder to acquaint him/herself with the property, any encumbrances thereon, and the Terms of Sale before placing a bid and to be certain that adequate funds are available to make good the bid. The failure of the successful bidder to complete the transaction under the terms bid may result in the bidder's preclusion from bidding at auction for a period of sixty (60) days.