



**ADMINISTRATIVE ORDER  
SEVENTH JUDICIAL DISTRICT**

Pursuant to the authority vested in me, it is hereby

ORDERED that effective immediately foreclosure proceedings shall be conducted in accordance with applicable statutes and relevant Administrative Orders including AO/35/22 (Exh. A), AO/90/23 (Exh. B); and it is further

ORDERED that foreclosure auctions shall be conducted in accordance with the 7<sup>th</sup> Judicial District's Amended Foreclosure Auction Plan (Exh. C) which supersedes the provisions of any prior foreclosure auction protocols or memoranda; and it is further

ORDERED that pursuant to Administrative Order 90/23 and in accordance with the Remote Auction Rules applicable to Monroe County foreclosure auctions contained in Exhibit C, Lenders may retain the services of a remote bidding technology provider for those properties scheduled to be auctioned on or after September 8, 2023.

Dated: June 16, 2023  
Rochester, New York

Hon. William K. Taylor  
Administrative Judge  
7<sup>th</sup> Judicial District

**Amended Foreclosure Auction Plan – Seventh Judicial District  
(June 16, 2023)**

In light of Administrative Order 35/22 and Administrative Order 90/23, the following policies and procedures set forth below will take effect immediately and shall remain in effect until rescinded by any subsequent 7<sup>th</sup> Judicial District Administrative Orders.

**Monroe County**

Foreclosure Auctions shall be conducted in the designated Foreclosure Auction area located in the lower atrium of the Hall of Justice at 99 Exchange Blvd., Rochester, NY 14614.

In Monroe County, Plaintiff's attorney must notify the Monroe Foreclosure Part at [monroeforeclosure@nycourts.gov](mailto:monroeforeclosure@nycourts.gov) of the date and time of the scheduled auction. The email and associated calendar will be monitored by clerks assigned to the Monroe Foreclosure Part as well as by the Chief Clerk and Deputy Chief Clerk. Only one auction may be scheduled at a time and auctions may only be scheduled in 10-minute blocks beginning at 10:00 AM and ending at 3:30 PM in order to avoid peak employee and general public entrance/exit times.

All judgments of foreclosure and sale shall incorporate and require compliance with the Amended Foreclosure Auction Plan for the Seventh Judicial District

If the Monroe Foreclosure Part becomes aware of parties appearing for an auction which conflicts with an auction scheduled through the Monroe Foreclosure Part, the following rules shall apply:

- The Plaintiffs' attorneys and Referees involved in the conflicting sales will be directed to check with their clients and/or other principals to ensure that their auction is set to continue and their file is not on a loss mitigation hold or some other stay.
- If the conflicting auctions need to go forward, the auction that was scheduled through the Monroe Foreclosure Part shall occur in the designated Foreclosure Auction area located in the lower atrium of the Hall of Justice at 99 Exchange Blvd., Rochester, NY 14614. For the auction that was not properly scheduled, the Referee will either hold the auction outside in the courtyard adjacent to the Hall of Justice at 99 Exchange Blvd., Rochester, NY 14614 or re-schedule the auction.

**Cayuga County, Livingston County, Ontario County, Seneca County, Steuben County, Wayne County, and Yates County**

Foreclosure auctions shall take place on the steps of the County Courthouse where the property is being sold. This shall include the following:

- Cayuga County Courthouse: 152 Genesee Street, Auburn, NY 13021
- Livingston County Courthouse: 2 Court St., Geneseo, NY 14454
- Ontario County Courthouse: 27 North Main St., Canandaigua, NY 14424
- Seneca County Courthouse: 48 West Williams St., Waterloo, NY 13165
- Steuben County Courthouse: 3 East Pulteney Square, Bath, NY 14810
- Wayne County Hall of Justice: 54 Broad St., Lyons, NY 14489
- Yates County Courthouse: 415 Liberty St., Penn Yan, NY 14527

Only one auction may take place at a time. All judgments of foreclosure and sale shall incorporate and require compliance with the Amended Foreclosure Auction Plan for the Seventh Judicial District.

In preparation of conducting a foreclosure auction, Plaintiff's attorney must contact the Court at [7thforeclosure@nycourts.gov](mailto:7thforeclosure@nycourts.gov) and notify the court of the date and time of the scheduled auction. Again, only one auction may be conducted at a time.

### **Foreclosure Auction Rules – Seventh Judicial District**

The following rules shall be applicable for foreclosure auctions held within the Seventh Judicial District and shall be incorporated into the Terms of Sale for foreclosure auctions held within the Seventh Judicial District.

1. Except where the successful bidder is a remote bidder, the 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 or bank check to be made payable to the Referee. In cases of a tax lien certificate foreclosure, the amount required is 25%.
2. No sale will be deemed final until the full 10% deposit has been paid to the Referee and a Memorandum of Sale has been signed, which must be completed immediately following the sale. Where the successful bidder is a remote bidder, the deposit transfer and Memorandum of Sale may be completed within one business day
3. Except where the successful bidder is a remote bidder, if a successful bidder fails to immediately pay the deposit and sign the Memorandum of Sale, the Referee will strike the bid and the second-highest bidder shall be permitted to tender the requisite deposit and sign the Memorandum of Sale.
4. Bidders are cautioned that the failure to pay the full purchase price bid and appropriate closing costs at a closing to be scheduled no later than thirty (30) days following the auction (unless otherwise stipulated by all parties to the sale) may result in the forfeiture of the 10% deposit.
5. 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 lower price in a subsequent sale.
6. 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.

### **Remote Auctions Rules (For Monroe County ONLY)**

1. Pursuant to Administrative Order 90/23, the Unified Court System has approved a technology-assisted process that will allow remote bidding by persons not physically present at auctions. Remote bidding will be available ONLY for properties where the

foreclosing party has engaged such a remote bidding technology provider to provide foreclosure sale marketing and auction services.

2. Plaintiffs may retain the services of a remote bidding technology provider only for those properties scheduled to be auctioned on or after September 8, 2023.
3. ALL Auctions will still take place in person, in the location designated above, and will still be conducted and supervised by the referee.
4. When notifying the Monroe foreclosure department (monroeforeclosure@nycourts.gov) of an auction date and time, the referee and/or plaintiff's representative must also notify the court whether the plaintiff intends to retain a remote bidding technology provider.
5. In those cases where a remote bidding provider has been retained, a representative thereof will appear at the courthouse for the auction and shall be permitted to use an electronic tablet to collect, verify, and relay bids in real time during the auction.
6. After an auction has been completed, if the highest bid is from a remote bidder, the Referee shall defer collection of a deposit so long as the remote bidding provider provides proof of sufficient funds thereof. This proof of funds can be in the form of a winning remote bidder's escrow account statement as of the date of the auction. The deposit MUST then be transferred into the Referee's trust account within one (1) business day of the conclusion of the auction. The Referee shall make available their wire transfer information to the remote bidding provider for this purpose.
7. After an auction has been completed, if the highest bid is from a remote bidder, the remote bidding provider shall assist in facilitating the winning bidder's execution of the Terms of Sale, Memorandum of Sale, and Surplus Monies Form (if applicable) within one (1) business day of the auction and return such documents to Referee.

### **Scheduling Foreclosure Auctions**

In Monroe County, Plaintiff attorneys must notify the Monroe Foreclosure Part at monroeforeclosure@nycourts.gov of the auction date and time. Only one auction may be scheduled at a time and auctions may only be scheduled in 10-minute blocks beginning at 10:00 AM and ending at 3:30 PM. All emails must provide the following information regarding the scheduled foreclosure auction: (1) the title of the action with index number; (2) the date and time requested for the auction; (3) the Plaintiff attorney; and (4) the Referee.

In all other counties in the Seventh Judicial District, Plaintiff attorneys must notify the court of the scheduled auction at 7thforeclosure@nycourts.gov of the auction date and time. All emails must provide the following information regarding the scheduled foreclosure auction: (1) the title of the action with index number; (2) the date and time scheduled for the auction; (3) the Plaintiff attorney; and (4) the Referee.

# EXHIBIT

## A

**ADMINISTRATIVE ORDER OF THE**  
**CHIEF ADMINISTRATIVE JUDGE OF THE COURTS**

Pursuant to the authority vested in me, at the direction of the Chief Judge, upon the expiration of L. 2021, c. 417, which relates in part to residential and commercial foreclosures ["Act"], I hereby direct that, effective immediately:

1. **Resumption of Residential and Commercial Mortgage Foreclosure Matters:** All residential and commercial mortgage foreclosure matters may resume in the normal course.
2. **Resumption of Tax Foreclosure Matters:** All tax lien foreclosure matters may resume in the normal course, subject to the conferencing requirements set forth in Administrative Order 262/21.
3. **Filing and Service** – Filing and service of process in foreclosure proceedings shall continue as set forth in Administrative Order 267/20.
4. **Auctions:** Auctions should continue in a manner consistent with district/county auctions plans and in accordance with the Unified Court System's COVID-19 protocols.
5. This order supersedes Administrative Order 262/21 except as set forth herein. This order further supersedes the provisions of any other Administrative Order inconsistent with its terms and provisions.



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Chief Administrative Judge of the Courts

Dated: January 16, 2022

AO/35/22

**EXHIBIT**

**B**

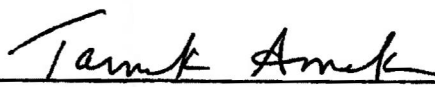
**ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS**

Pursuant to the authority vested in me, and upon consultation with the Administrative Judges in the Seventh, Eighth and Eleventh Judicial Districts, I hereby authorize, effective March 1, 2023, a pilot program within those judicial districts to permit remote bidding in foreclosure cases.

This pilot program is established in the following counties in the Seventh, Eighth and Eleventh Judicial Districts: Monroe County, Niagara County, and Queens County.

This remote bidding pilot project permits individuals to place bids remotely through third-party auction platforms, simultaneously with in-person bidders, on properties during a live foreclosure sale within the above specified counties.

This order shall continue indefinitely, subject to further order.

  
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Acting Chief Administrative Judge of the Courts

Dated: February 27, 2023

AO/ 90 /23