

## **BRONX COUNTY AUCTION PLAN**

JUNE 2024

The following rules apply to foreclosure auctions held within Bronx County and shall be deemed to be incorporated into all Judgments of Foreclosure and Sale.

### **GENERAL RULES**

All foreclosure auctions will be held in courtroom 607 at the Supreme Court, Bronx County, 851 Grand Concourse. To schedule an auction, contact the Foreclosure Department at: [bxforeclosure@nycourts.gov](mailto:bxforeclosure@nycourts.gov).

The Terms of Sale, including any known encumbrances, must be posted outside of the Courtroom/gathering prior to the sale.

The proposed judgment shall include the name and telephone number of the mortgage servicer for a plaintiff as required by RPAPL 1351 (1).

The Notice of Sale is to be served on all Defendants and E-Filed at least ten (10) days prior to the scheduled sale date.

The Plaintiff shall serve a copy of the Judgment of Foreclosure and Sale with notice of entry on all parties and persons entitled to notice, including the appointed Referee.

Except where the successful bidder is a remote bidder (see Remote Bidding section, below), following the auction, the successful bidder will deposit at least 10% of the sale price in certified funds, made payable to the Referee, with the Referee. The balance of the funds, along with the transfer of title documents, will occur at such location as determined by the Referee, or at such other place as agreed upon by the parties in writing, within the time limits specified in the Terms of Sale.

### **POST SALE**

Within 30 days of the sale, a [Surplus Monies Form](#) must be E-filed or filed with the County Clerk for ALL Foreclosure Auctions (regardless of the surplus status) by the Referee conducting the sale, plaintiff's representative and the purchaser for all auctions.

Within 30 days of the sale, the Referee must E-File or file with the County Clerk a [Report of Sale](#), accompanied by vouchers of the persons to whom payments were made.

## REMOTE BIDDING

Pursuant to [Administrative Order 54/24](#), remote bidding has been authorized for Bronx County. However, all auctions, even remote-eligible auctions, will still take place in-person, at the location designated above, and will still be conducted and supervised by the Referee.

Plaintiff may retain the services of a remote bidding technology provider for those properties scheduled to be auctioned on or after June 12, 2024.

Remote bidding will be available for properties where the foreclosing party has engaged such a remote bidding technology provider to provide marketing and auction services. 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.

Where a plaintiff seeks to retain a remote bidding technology provider, the proposed judgment of foreclosure and sale shall make the necessary references to remote bidding as set forth more fully in the [UCS' Judgment of Foreclosure and Sale Template for Remote Bidding](#) or as otherwise ordered by the court. No remote-bidding eligible auction may take place unless authorized by the Judgment of Foreclosure and Sale.

If remote bidding is authorized by the court, when seeking to schedule a remote-bidding eligible auction (via email to [bxforeclosure@nycourts.gov](mailto:bxforeclosure@nycourts.gov)) the Referee and/or plaintiff's representative must notify the court of their intention to retain a remote bidding technology provider.

After a remote-bidding eligible 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.

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 all required documentation.