

Eighth Judicial District Court Resource Center

Requirements for Order Confirming Referee's Report of Sale and for Distribution of Surplus Monies

Note: **The Court Resource staff are able to provide forms and information on court procedures. The Court Resource staff can not give you legal advice, prepare your papers or act as your attorney.**

1. Use the same caption and index number as on the Judgment of Foreclosure and Sale.

2. You must obtain a Certificate of Claims, Certificate of No Appearances and a Certificate of No Exceptions from the County Clerk, and submit these with your application. See website for Samples of Certificates.
nycourts.gov/courts/8jd/crcforms.shtml

3. You must obtain a Certificate of Deposit from the County Comptroller or County Treasurer (whoever the money is deposited with) showing how money (including interest) is being held and submit the certificate with your application.

4. You must obtain a copy of the referee's report of sale from the County Clerk and submit it with your application.

5. If notices of claim and appearance were filed, you must obtain copies and proceed by motion on notice to those who filed the notices.

6. Once one order is signed and entered by the County Clerk you must obtain a certified copy of the order from the County Clerk's Office and file it with the County Comptroller's Office or the County Treasurer's Office (whoever the money is deposited with). The Comptroller's Office or the Treasurer's Office will mail you a check for the money they are holding less their fee (currently 2%).