



# Affidavit to Proceed as Poor Person Pursuant to CPLR 3408(b) in Residential Foreclosure Actions

**POOR PERSON AFFIDAVIT**  
(06/2023)  
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Supreme Court of the State of New York  
County of Richmond

Against

Plaintiff

Defendant

Index #: \_\_\_\_\_

State of New York, County of Richmond ss.:

\_\_\_\_\_, being duly sworn, says:

- I am an unrepresented Defendant in this Residential Foreclosure action. This statement is made in support of my request for waiver of any filing and service fees and costs and to proceed in this case as a poor person.
- I support myself and \_\_\_\_\_ others in my household.
- My sources of income are (check all that apply):
  - Public Assistance
  - Social Security/SSI
  - Other (specify): \_\_\_\_\_
- The amount of income I receive each month is \$ \_\_\_\_\_
- Check one of the items below:
  - I do not have a bank account.
  - I have one or more bank accounts, totaling approximately \$\_\_\_\_\_ in the account(s).
- I own the following property which has an estimated value as indicated:  
[IF NONE, WRITE "NONE"]

LIST PROPERTY	VALUE


- 7. I have no other savings, property or assets.
- 8. I am unable to pay the costs, fees and expenses necessary to defend my rights in this Residential Foreclosure case.
- 9. No one else who is able to pay any required costs and fees has a beneficial interest in the results of this case.
- 10. This is a Residential Foreclosure case in which I intend to assert defenses.
- 11. I have made no prior request for this relief in this case.
- 12. Pursuant to New York CPLR 1102(a) (CHECK ONE):
  - I request that the Court, in its discretion, assign counsel to me to assist in my defense of this Residential Foreclosure action.
  - I DO NOT request that the Court, in its discretion, assign counsel to me to assist in my defense of this Residential Foreclosure action.

WHEREFORE, I request that all fees relating to the filing and service of this action or proceeding be waived, and that I be permitted to proceed in this case in all respects as a poor person.

\_\_\_\_\_  
(Name)

I \_\_\_\_\_, (Name), 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 of proceeding in a court of law.