

Sample Notice to be Given to Tenants by Successors in Interest including Realtors, Banks, LL's Lawyers and other agent.

Date:

ATTENTION: The property you live in has gone through foreclosure and has a new owner.

The new owner is: (name, address, telephone number, and email address)

We represent the new owner: (name, address, telephone number, name and email address of contact)

Please contact us immediately to let us know if you are a tenant and give us proof, such as a COPY of your lease or COPIES of rent receipts.

If we do not hear from you within twenty (20) days of the above date, you will not lose any legal rights, but we will take legal action to remove you from the property.

This Notice describes some of your legal rights.

IN MOST CASES, UNDER THE “**PROTECTING TENANTS AT FORECLOSURE ACT OF 2009**”¹ YOU HAVE THE RIGHT TO CONTINUE AS A TENANT FOR THE REMAINDER OF YOUR LEASE OR AT LEAST 90-DAYS FROM THE DATE YOU ARE GIVEN NOTICE TO VACATE WHICHEVER IS LONGER. IN EITHER CASE, THE NEW OWNER CAN ONLY TERMINATION YOUR TENANCY AND EVICT YOU IF THE OWNER HAS GIVEN YOU AT LEAST 90 DAYS NOTICE TO VACATE. If, at any time, you violate your lease, the new owner may evict you for that lease violation and you will not be protected by the above law.

You are protected by the above law if:

The new owner became the owner on or after May 20, 2009; and

You were a tenant on or before May 20, 2009; and

You are NOT the child, parent or spouse of the former owner; and

Your rent is equal to or is not substantially below fair market rent, or you pay less because you have rental assistance such as Section 8.

If the new owner sells the property to a person who wants to move into the property as his or her home, the above law allows that buyer to lawfully end your lease and tell you to vacate the property as long as that owner gives you at least 90 days advance notice before the date you are being asked to leave.

If you have a SECTION 8 voucher you have additional rights.

It doesn't matter when the foreclosure happened so long as you were a tenant on May 20, 2009.

The new owner must abide by your lease and by the Housing Assistance Payments contract that the old owner had with the housing authority.

The new owner has to accept your share of the rent from you and the housing authority's share from the housing authority.

None of your rights as a tenant under state or local laws that give you greater protection are changed by the Protecting Tenants At Foreclosure Act.

YOU HAVE OTHER CHOICES:

If you want to move, the new owner may offer to pay your moving expenses and any other costs or amounts you and the new owner agree on in exchange for your agreement to leave the premises in less than 90 days or before your lease expires.

We suggest that you speak with a lawyer to fully understand your rights before making any decisions regarding your tenancy.

If you have any questions, please contact _____ at _____

¹ Protecting Tenants at Foreclosure Act, Pub. L. No. 111-22, § 702-703 (2009).