

AFFIDAVIT - FEDERAL MORTGAGE FORECLOSURE MORATORIUM

JD-CV-172 New 9-20

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov



Instructions:

Plaintiff shall file this Affidavit in accordance with the attached Mortgage Foreclosure Standing Order - Federal Mortgage Foreclosure Moratorium.

For information on ADA accommodations, contact a court clerk or go to: www.jud.ct.gov/ADA.

Name of case (Plaintiff v. Defendant)

Judicial district	Address of court	Return date (if available)
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Name (Affiant)	Address of property at issue (Number, street, town, state, zip code)
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The undersigned, being duly sworn, deposes and says:

1. I am over the age of eighteen years of age and believe in the obligations of an oath.

2. I am the _____ (job title) of _____
(Plaintiff or Plaintiff's servicer) and am authorized to sign on behalf of _____ (Plaintiff or Plaintiff's servicer).

3. I am familiar with the business records and procedures of _____
(Plaintiff or Plaintiff's servicer) with respect to the mortgages that it owns and/or services.

4. Based on my review of the business records of _____
(Plaintiff or Plaintiff's servicer) and the account of the borrower (the word "borrower" includes any and all borrowers and mortgagors of the mortgage loan that is the subject of this case), I have specific knowledge of the loan secured by the mortgage executed by the Defendant(s) in this case.

This foreclosure action may proceed for the following reasons:

- The loan that is secured by a mortgage lien on the property is **not** a "Federally Backed Mortgage Loan" as defined by 15 USC 9056(a)(2) of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act").
- The loan that is secured by a mortgage lien on the property **is** a "Federally Backed Mortgage Loan" as defined by 15 USC 9056(a)(2) of the CARES Act, but the property is either vacant or abandoned. If the property is vacant or abandoned, explain how this was determined: _____
- The loan that is secured by a mortgage lien on the property **is** a "Federally Backed Mortgage Loan" as defined by 15 USC 9056(a)(2) of the CARES Act, but the loan is **not** in forbearance pursuant to 15 USC 9056(b) of the CARES Act.
- The loan that is secured by a mortgage lien on the property is **not** subject to any federal foreclosure moratorium.

Signed (Affiant)	Print or type name of person signing	Date signed
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Subscribed and sworn to before me:	on Date	Signed (Assistant Clerk, Notary, Commissioner of the Superior Court)
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Certification

I certify that a copy of this document was or will immediately be mailed or delivered electronically or non-electronically on (date) _____ to all attorneys and self-represented parties of record and that written consent for electronic delivery was received from all attorneys and self-represented parties of record who received or will immediately be receiving electronic delivery.

Name and address of each party and attorney that copy was or will be mailed or delivered to*

*If necessary, attach additional sheet or sheets with name and address which the copy was or will be mailed or delivered to.

Signed (Signature of filer)	Print or type name of person signing	Date signed
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Mailing address (Number, street, town, state and zip code)	Telephone number
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**Mortgage Foreclosure Standing Order
Federal Mortgage Foreclosure Moratorium**

1. This Standing Order is effective immediately and applies to all mortgage foreclosure actions filed on or after the date of this Order, as well as to previously filed mortgage foreclosure actions that have not gone to final judgment.
2. The purpose of this Standing Order is to ensure that no mortgage foreclosure action is filed, no previously filed mortgage foreclosure action goes to final judgment, and no sale pursuant to a judgment of foreclosure by sale is approved, if the mortgage being foreclosed secures a federally-backed mortgage loan that is subject to a federal foreclosure moratorium.
3. All mortgage foreclosure complaints filed in Superior Court on and after the date of this Order shall be accompanied by an executed **AFFIDAVIT - Federal Mortgage Foreclosure Moratorium**, form JD-CV- 172 ("Affidavit"). Any foreclosure complaint that is filed after the date of this Order that is not accompanied by the Affidavit may be dismissed by the Court unless the Affidavit is filed within 14 days of the filing of the foreclosure complaint. In addition to filing the Affidavit with the foreclosure complaint, the plaintiff shall file an updated Affidavit when a motion for judgment is filed and when a motion to approve a sale is filed. If the Affidavit is more than 30 days old at the time the Court considers a motion for judgment or a motion to approve a sale, an updated Affidavit must be filed.
4. In any mortgage foreclosure action filed in the Superior Court before the date of this Order in which judgment has not entered, or in which a judgment of foreclosure by sale has entered, but the sale has not been approved by the Court, the plaintiff shall file an executed Affidavit no later than 14 days from the date of this Order. No judgment shall enter in any mortgage foreclosure action filed before the date of this Order, and no sale pursuant to a judgment of foreclosure by sale shall be approved, unless the plaintiff files an executed Affidavit. If the Affidavit is more than 30 days old at the time the Court considers a motion for judgment or a motion to approve a sale, an updated Affidavit must be filed.
5. If the plaintiff does not comply with this Order, a motion for judgment shall not be granted, or a sale shall not be approved, except upon Order of the Court.

s/James W. Abrams

James W. Abrams
Chief Administrative Judge, Civil Division

9/24/2020

Date