

**ELIGIBLE SENIOR CITIZEN ELECTION FORM**

SEE INSTRUCTION SHEET ON NEXT PAGE BEFORE COMPLETING THIS FORM

For use in municipalities in Nassau, Rockland and Westchester Counties which have adopted GBL Section 352-eee.

Please note that you are not required by law to complete and return this form to qualify as an "eligible senior citizen."

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

I elect not to purchase my apartment under the offering plan for conversion of the building to a cooperative or condominium.

I certify that:

1. I am a tenant of the apartment listed above.
2. I am or my spouse is now 62 years of age or older.
3. I or my spouse will become 62 years of age within 12 months of the date the Department of Law accepted the offering plan for filing.

I understand that this senior citizen election does not preclude me from purchasing my apartment at a later date.

The above statements are true to the best of my knowledge and understanding.

SIGNED: \_\_\_\_\_

Sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

Receipt acknowledged and copy given to tenant.

SPONSOR/AGENT: \_\_\_\_\_ DATE: \_\_\_\_\_

## **INSTRUCTIONS FOR COMPLETING ELIGIBLE SENIOR CITIZEN ELECTION FORM**

State law provides that tenants who are “eligible senior citizens” cannot be evicted because they did not buy their apartments.

### **How to Qualify as an “Eligible Senior Citizen”**

To qualify as an “eligible senior citizen,” you must:

1. Be a tenant or the spouse of a tenant; and
2. Be 62 years of age or older on the date the offering plan is “declared effective.”
3. Complete this election form and return it to the sponsor within 60 days of the date you first received the offering plan.

If you believe you are now (or may become) an “eligible senior citizen,” you are ADVISED AND REQUESTED to complete this form and return it to the sponsor within 60 days of the date you first receive the offering plan.

### **What is the “Effective Date?”**

The offering plan must be declared effective or abandoned within 12 months of the date the Department of Law accepted the offering plan for filing. The approximate date the Department of Law accepted the offering plan for filing is given on the front cover of the offering plan. See the “EFFECTIVE DATE” section of the offering plan for further definition of this term.

### **Who is Considered a Tenant?**

A tenant for purposes of this form is a person who has signed a lease, or the spouse of a person who has signed a lease.

### **Return This Form Within 60 Days**

You must complete and return this form within 60 days of the date you first received the offering plan. Return the form either by delivering it to the sponsor or the sponsor’s selling agent at the location specification in the plan, or by mailing it by certified or registered mail, return receipt requested, to the sponsor or selling agent at the address specified in the plan. **Be sure to sign the form before a Notary Public**

### **WARNING!**

**FAILURE TO RETURN THIS FORM WITHIN 60 DAYS COULD ULTIMATELY RESULT IN YOUR BEING EVICTED!**

### **The Sponsor May Dispute Your Eligibility**

The law allows the sponsor to dispute your eligibility as an “eligible senior citizen”. In order to do so, the sponsor must apply to the Department of Law for an eligibility determination within 30 days after the sponsor receives your election form. In case of a dispute, the Department of Law has 30 days to determine your eligibility. If your eligibility is disputed, you will be notified by the Department of Law and given the opportunity to defend your eligibility.