

1 Mortgaged Premises:
2 _____
3 _____
4 _____

5 *Note: During and after August 2010, numerous and widespread insufficiencies*
6 *in foreclosure filings in various courts around the nation were reported by major*
7 *mortgage lenders and other authorities, including failure to review documents*
8 *and files to establish standing and other foreclosure requisites; filing of notarized*
9 *affidavits that falsely attest to such review and to other critical facts in the*
10 *foreclosure process; and "robosignature" of documents.*

11 * * *

12
13
14 [_____] , Esq., pursuant to Hawaii Revised Statutes §667-17 and under the
15 penalties of perjury, affirms as follows:

- 16
- 17 1. I am an attorney at law duly licensed to practice in the State of Hawaii and am affiliated
- 18 with the Law Firm of _____, the attorneys of record for Plaintiff in the
- 19 above-captioned mortgage foreclosure action. As such, I am fully aware of the underlying
- 20 action, as well as the proceedings had herein.
- 21
- 22 2. On [date], I communicated with the following representative or representatives of
- 23 Plaintiff, who informed me that he/she/they (a) personally reviewed plaintiff's documents
- 24 and records relating to this case for factual accuracy; and (b) confirmed the factual
- 25 accuracy of the allegations set forth in the Complaint and any supporting affidavits or
- 26 affirmations filed with the Court, as well as the accuracy of the notarizations contained in
- 27 the supporting documents filed therewith.
- 28
- 29 Name Title
- 30 _____
- 31 _____
- 32 _____
- 33
- 34 3. Based upon my communication with [persons specified in item 2], as well as upon my
- 35 own inspection and other reasonable inquiry under the circumstances, I affirm that, to the
- 36 best of my knowledge, information, and belief, the Summons, Complaint, and other
- 37 papers filed or submitted to the Court in this matter contain no false statements of fact or
- 38 law and that plaintiff has legal standing to bring this foreclosure action. I understand my
- 39 continuing obligation to amend this Affirmation in light of newly discovered material
- 40 facts following its filing.
- 41
- 42 4. I am aware of my obligations under Hawaii Rules of Professional Conduct.



H.B. NO. 2513

Report Title:

Mortgage Foreclosures; Affirmation Required When Action
Commenced

Description:

Requires that an affirmation be filed with the court at the time
a mortgage foreclosure action is commenced.

*The summary description of legislation appearing on this page is for informational purposes only and is
not legislation or evidence of legislative intent.*

