

***NPUT***

***NEW PALTZ UNITED TEACHERS BENEFIT TRUST FUND***

**SUMMARY PLAN DESCRIPTION  
NYSUT PRE-PAID LEGAL PLAN.DOC  
WITH ELDER LAW RIDER**

July 1, 2013

**The NYSUT Prepaid Group Legal Service Plan  
With Elder Law Rider**

**Real-Estate Assistance Guide**

## Frequently Asked Real-Estate Questions:

*How do I sell my house or find a house to purchase?* – Most people enlist the help of a real estate broker, however, many people in the current market are choosing to buy or sell on their own. Some purchasers are using “buyer’s brokers” to help them find a house. In this instance, the broker works exclusively for the buyer and the buyer must pay the commission.

*Should I sign a binder?* – A binder can be construed as a legal contract. Any binder signed should be subject to your attorney’s approval and an engineer’s inspection.

*Do I need an engineer?* – Your attorney cannot tell you whether or not to buy a house. An engineer typically costs \$300-\$400 and considering the investment about to be made, this is a small charge for piece of mind. An engineer can uncover defects in a house that would not be seen with a cursory inspection. An engineer’s report is therefore a good starting point in negotiating repairs for a reduction in price. The house may also be in such bad condition that the buyer may decide to withdraw from the transaction. Only an engineer can tell you this.

*How long does it take to go to contract from the time I sign a binder?* – This depends on many factors, including how quickly the engineer inspects the house, the time it takes the seller’s attorney to prepare the contracts for your attorney, and any special negotiations between the attorneys regarding the contracts. Typically, the process may take two to three weeks.

*Where can I apply for a mortgage?* – Most people with good credit can go straight to a direct lender (such as the local bank). Some people will go to a mortgage broker, who will place the loan with a third party who will lend to the borrower. Those with unusual transactions or credit problems are more apt to use a mortgage broker, as the broker can access different mortgage products to obtain the best deal. Of course, the buyer pays the fee for their services (usually one percent of the loan amount).

*How long does it take to obtain a mortgage?* – Most contracts provide that if the borrower cannot obtain a mortgage within 45 days, their contract down payment will be refunded. Those with good credit who are diligent in returning documents to the bank can usually expect a commitment within a few weeks.

*What are closing costs?* – Closing costs generally consist of two items; your bank charges and your title charges. The bank charges are the costs associated with your loan. Since they vary so much from bank to bank, your attorney can only give you a range. Title costs are the fees associated with insuring your title to the property as well as the lender’s interest in the property. Since the law sets the majority of these costs, your attorney can generally give you a more accurate estimate.

*I'm anxious to close; why can't my attorney set a closing date?* – Unfortunately, this is out of your attorney's control. To close, a buyer needs a mortgage commitment, a complete title report, and clearance from the bank to set a closing. Once the above is accomplished, the schedule of the bank's attorney, the buyer's and seller's attorneys, and the buyer and seller must be coordinated. Be patient! Your attorney wants to close this deal as much as you do and is working diligently on your behalf.

*What are my Plan benefits for real-estate under the New Paltz Prepaid Legal Plan?* – Three transactions (sale, purchase or refinance) in any 5-year period. Participants represented outside the Plan are entitled to a reimbursement of up to \$300 per transaction for attorney fees incurred. Reimbursement is limited to no more than 3 transactions in a 5-year period.

## Who To Contact:

To speak with an attorney or for a referral please call The National Legal Office:

Feldman, Kramer & Monaco, P.C.  
Attorneys at Law  
330 Vanderbilt Motor Parkway  
Hauppauge, NY 11788

800-832-5182 (In New York State)

800-292-8063 (Outside New York)

For general questions on Prepaid Group Legal or additional materials, please call or write:

NYSUT Group Legal Service Plan  
159 Wolf Road, Box 15008  
Albany, NY 12212-5008

800-626-8101

e-mail: [benefits@nysutmail.org](mailto:benefits@nysutmail.org)

For information on other NPUT Trust-sponsored benefits, please call or write:

Ron Noelle, Administrator  
12 Durmo Road New Paltz, NY 12561  
845-255-5770 Fax 845-255-3654

