

POWER OF ATTORNEY REJECTION NOTICE

Effective June 13, 2021, New York State law prohibits any third party, including financial institutions, located or doing business in the State of New York, from refusing to accept, without reasonable cause, a power of attorney properly executed in accordance with section 5-1501B of Title 15.

You are hereby notified that **[INSERT NAME OF RECIPIENT]** (“Recipient”) has completed its review of the power of attorney, dated **[INSERT DATE OF POWER OF ATTORNEY]**, naming **[INSERT NAME OF PRINCIPAL]** as principal (“Principal”) and **[INSERT NAME OF AGENT]** as agent (“Agent”) that you tendered to Recipient on **[INSERT DATE]** (“Power of Attorney”). Following our review, Recipient has determined that it does not accept and will not honor the Power of Attorney for the following reasons (check all applicable boxes):

- The Agent did not provide Recipient an original Power of Attorney or a copy certified by an attorney pursuant to section twenty-one hundred five of the NY Civil Practice Law and Rules, or by a court or other governmental entity;
- Recipient, in good faith, has referred the Principal and Agent, or a person acting for or with the Agent, to the local adult protective services unit;
- Recipient has actual knowledge that a report has been made by any person to the local adult protective services unit alleging physical or financing abuse, neglect, exploitation or abandonment of the Principal by the Agent or a person acting for or with the Agent;
- Recipient has actual knowledge of the Principal’s death or a reasonable basis for believing the Principal has died;
- The Power of Attorney tendered is a nondurable power of attorney and Recipient has actual knowledge of the incapacity of the Principal or a reasonable basis for believing that the Principal is incapacitated;
- Recipient has actual knowledge or a reasonable basis for believing that the Power of Attorney was procured through fraud, duress or undue influence;
- Recipient has actual notice, pursuant to N.Y. General Obligations Law section 5-1504(5) of the termination or revocation of the power of attorney;
- A title company has refused to underwrite title insurance for a gift of real property made pursuant to the power of attorney that does not contain express instructions or purposes of the principal with respect to gifts in the modifications section of the power of attorney;
- Recipient requested an affidavit from the Agent in writing on **[INSERT DATE OF RESPONSE NOTICE REQUESTING AGENT AFFIDAVIT]** that has not been provided;
- Recipient requested an opinion of counsel at the Principal’s expense on **[INSERT DATE OF RESPONSE NOTICE REQUESTING AGENT AFFIDAVIT]** that has not been provided; and/or
- Other:
 - The Power of Attorney states that it takes effect upon the occurrence of a date or a contingency and the date and/or contingency identified in the document has not yet occurred.

- The Power of Attorney does not comply with one or more of the requirements for a validly executed Power of Attorney set forth in N.Y. General Obligations Law section 5-1501B;
- The Power of Attorney was terminated, the Agent's authority was terminated, and/or the Principal revoked the Power of Attorney pursuant to N.Y. General Obligations Law section 5-1511.
- The Power of attorney is missing a required signature or contains the wrong signature;
- A notarization set forth in the Power of Attorney is invalid;
- An identification provided is unacceptable; and/or
- the Agent is named on a money-laundering or anti-terrorist list.

Please note that in accordance with the N.Y. General Obligations Law, you have a right to provide a written response to this notice. Should you provide such a response, Recipient shall have seven business days following its receipt of your response to (i) honor the Power of Attorney, or (ii) finally reject the Power of Attorney in a writing that sets forth the reasons for such rejection.

[INSERT NAME OF RECIPIENT OR RECIPIENT'S COUNSEL]

Address _____

Tel. #: _____

Email: _____

Dated: _____