HOW SELLING FOR CASH WORKS

Selling a House As-Is in New York: What It Means, What It Costs, and Your Options

What "as-is" means in New York: the 2024 disclosure rules, real costs, inspections, and what slows a sale. Plain answers, no repairs needed to read it.

By Rust Belt Cash Offer · Published May 24, 2026 · Updated November 1, 2026

To sell your house as-is in Buffalo, you sell it in its current condition and make no repairs, either by listing it as-is with an agent, selling it yourself, or selling directly to a cash buyer. “As-is” does not cancel New York’s disclosure duty: for most one-to-four-family homes you must still give the buyer the Property Condition Disclosure Statement before the contract is signed, and the old $500-credit opt-out ended on March 20, 2024 (RPL §462). Executors administering an estate are exempt (RPL §463).

> *General information, not legal advice. Facts checked as of October 2026.*

What “as-is” means in New York, and what it doesn’t

An as-is sale means you don’t agree to fix anything, and the buyer accepts the house in the condition it’s in on the day you sign. The price reflects the condition up front, so there’s no repair list after an inspection and no credit negotiation over the roof or the

furnace. That includes winter damage, like ice dams and burst pipes; see selling a house with ice damage in Buffalo.

What as-is does **not** do:

- **It doesn't remove the disclosure form.** Unless your sale fits one of the exemptions in RPL §463, you still deliver the Property Condition Disclosure Statement. The form asks about fuel tanks and asbestos too; see selling a house with an oil tank or asbestos.
- **It doesn't protect a lie.** Telling a buyer the basement is dry when you know it floods is a misrepresentation whether or not the contract says as-is.
- **It doesn't clear title.** Liens, unpaid taxes, open City violations and mortgages still have to be paid or resolved at or before closing. With us, you don't have to clear them first.
- **It doesn't skip federal lead rules (see how lead paint affects a home sale).** For a house built before 1978, the seller must give the lead-based paint disclosure and pamphlet, and buyers get a 10-day opportunity to test unless they waive it (EPA). New York doesn't require you to test before selling.

The disclosure form after the 2024 changes

New York amended the Property Condition Disclosure Act effective March 20, 2024. The $500 credit a seller could once give instead of filling out the form was deleted, and new questions on flood risk, flood insurance and flood damage were added (New York State Bar Association). A lot of older articles, including earlier versions of this one, still describe the credit. It's gone.

Practical points for an as-is seller:

- Answer from what you actually know. "Unknown" is an honest answer when you truly don't know, which is common for an inherited house you never lived in.
- Deliver the form before the buyer signs the contract.

- If you learn something new before closing that makes your answers materially wrong, give the buyer a revised statement as soon as practicable (RPL §462).

Sales that are exempt from the form include transfers by an executor, administrator, guardian or trustee in the course of administering an estate or trust, court-ordered transfers, transfers between co-owners, and transfers between spouses as part of a divorce (RPL §463).

Three ways to sell a house as-is

Path	How it works	Good fit when	Watch out for
List as-is with an agent	The house goes on the MLS priced for its condition	The house is livable and can pass a lender's appraisal	Commission, showings, and a financed buyer whose lender may balk at major defects
Sell it yourself (FSBO)	You market the house and negotiate directly	You have time and a buyer in mind, such as a neighbor or relative	You handle pricing, paperwork and every buyer call yourself
Sell directly to a cash buyer	A buyer makes a cash offer on the house in its current condition	Repairs, a deadline, tenants, an estate or a cleanout make listing hard	Offers are usually below retail value; compare more than one written offer

None of these is right for everyone. A house that only needs paint and carpet may do better on the open market. A house with a failed foundation, an open violation file, or a basement full of belongings often doesn't.

How to sell your house as-is, step by step

1. **Decide what matters most.** Highest possible price, a firm date, or the least work? Your answer picks the path.
2. **Confirm who can sign.** Everyone on the deed signs. If the owner has died, the executor or administrator signs, and only after Erie County Surrogate's Court has issued Letters (see our Buffalo probate guide).
3. **Gather your paperwork.** Deed, mortgage statement, recent tax bills (City of Buffalo and Erie County are separate bills for city owners), insurance, and any violation notices.

4. **Check for title problems early.** Judgments, mechanic's liens, unpaid water bills and back taxes show up in the title search. Back taxes and unpaid water bills have to be paid at or before closing, usually out of the sale money. Our guide to selling with liens or title problems explains how those get cleared.
5. **Fill out the disclosure form** unless you're exempt, and the lead disclosure for a pre-1978 house.
6. **Get a realistic price picture.** Compare every offer side by side, and, if you're weighing a listing, get a comparative market analysis from a local agent. Subtract repair costs, months of taxes, insurance and utilities from the listing number before comparing.
7. **Line up your attorney.** If you don't have an attorney, we can give you names of independent local real estate attorneys (not our attorney; they represent only you), and in many cases we can cover your attorney's fee for the sale. Either way, your attorney works for you, not for us.
8. **Close.** The title company or attorney pays off your mortgage and liens from the sale price and sends you the rest.

Local rules that change an as-is sale

Open code violations

The City's Department of Permit & Inspection Services issues violation notices and can refer owners to Housing Court (City of Buffalo). An as-is sale can include a house with open violations, but the buyer will want to know about them.

Back taxes

Erie County forecloses under the Erie County Tax Act, and the City of Buffalo runs its own separate in rem foreclosure, so a city house can be behind with either one or both. A sale can pay the taxes off at closing; the detail is in our guide to selling a house with back taxes.

Tenants

Selling doesn't end a lease. If you want the house vacant, the tenant must get proper notice under RPL §226-c (30, 60 or 90 days depending on how long they've lived there). Buffalo has not opted into the state's Good Cause Eviction law. More in our guide to selling a rental property in Buffalo.

Foreclosure

If the house you live in is in foreclosure, or your mortgage payment is more than 60 days past due, New York's Home Equity Theft Prevention Act generally gives you 14 business days after signing to cancel a sale contract (Real Property Law §265-a). Build that window into your closing date. You can sell up until the foreclosure sale itself; see stopping foreclosure in Buffalo.

What actually slows a fast as-is sale

Skipping repairs takes the contractor out of the timeline. What's left is paperwork, and knowing about it early saves weeks.

- **Title problems.** An old mortgage that was paid but never discharged, a judgment, an unpaid water bill or a tax lien shows up in the title search. Back taxes and an unpaid water bill have to be paid at or before closing, usually out of the sale money. See selling a house with liens or title problems.
- **An estate without Letters.** If the owner died and the house was in their name alone, nobody can sign the deed until Erie County Surrogate's Court issues Letters Testamentary or Letters of Administration (NY CourtHelp). You can sign a contract earlier; closing waits for Letters.
- **The foreclosure cancellation window.** If the house you live in is in foreclosure, or your mortgage payment is more than 60 days past due, New York law generally gives you 14 business days to cancel the contract (Real Property Law §265-a), so we close after that window.

- **Mortgage payoff.** Your mortgage servicer has to confirm the exact payoff amount before closing. Ask for it early.

What an as-is sale costs

- **Transfer tax:** New York's tax is 0.4% of the price and is paid by the seller unless the contract says otherwise (NYS Tax Department). Erie County adds 0.5%, for 0.9% in total, with a reduced rate for some sellers 62 and older (Erie County Clerk).
- **Mortgage payoff:** your remaining balance plus any per-day interest. There's no mortgage recording tax on a payoff; that tax is charged when a new mortgage is recorded (NYS Tax Department).
- **Attorney fee:** varies by firm and by how complicated the file is. Ask for a flat-fee quote.
- **Liens, back taxes and unpaid water or sewer charges**, paid from your proceeds.
- **Commission**, only if you list with an agent. It's negotiable.

Repair first or sell as-is? How to compare

The question isn't which price is higher. It's which option leaves more in your pocket, on a timeline you can live with. Put numbers from your own house into a side-by-side like this one.

Cost or factor	Repair, then list	Sell as-is for cash
Repairs and materials	You pay, from written contractor quotes	None
Taxes, insurance, utilities and mortgage while you fix and list	You pay, month after month	Only until closing
Agent commission	Usually yes	No
Cleanout of belongings	You handle it	Depends on the buyer; with Rust Belt Cash Offer, take what you want and leave the rest
Risk the buyer's financing or inspection falls through	Yes	No mortgage contingency
Sale price	Usually higher	Usually lower

Get repair quotes in writing from licensed contractors before you decide. Guesses tend to run low, and older Buffalo houses often turn up more work once walls or floors are opened.

Is selling as-is the right call?

As-is usually means a lower price than the same house fully repaired. That isn't the same as losing money. The fair comparison is what you'd net after paying for repairs, holding the house through the work, and selling, against what you'd net selling it today. If the house needs little, listing may well win. If it needs a roof, a furnace and a cleanout you can't pay for, as-is often comes out ahead or close, with far less risk.

As-is tends to fit when you've inherited a house you don't want to fix, the house has fire, water or structural damage, it's full of belongings, there's a divorce and both owners want a clean split, or you need the proceeds by a set date to move. After a fire, see how to get the fire report for a Buffalo house.

Related reading: Do I need a lawyer to sell my house for cash in New York?

Frequently asked questions

Can I sell as-is and still let the buyer inspect?

Yes. A buyer can inspect for their own information. Under a true as-is contract, what they find doesn't obligate you to make repairs or cut the price, though a buyer may still try to renegotiate before signing.

What if I lie on the disclosure form?

You risk a claim from the buyer after closing. Answer honestly, and use "unknown" only when you really don't know.

Can I still give a $500 credit instead of the disclosure form on an as-is sale?

No. Since March 20, 2024, the $500 credit option is gone, and sellers of most one-to-four-family homes must deliver the completed Property Condition Disclosure Statement before the buyer signs a contract, as-is or not (New York State Bar Association

summary, RPL §462). "As-is" means no repairs; it doesn't remove the disclosure duty.

> **I'm the executor selling my parent's house as-is. Do I have to fill out the disclosure form?**

No. A transfer by a fiduciary in the course of administering an estate is exempt from New York's disclosure requirement (RPL §463). You still shouldn't misstate anything you do know, and the sale itself can't close until the Surrogate's Court has issued Letters.

> **Can I sell a house with an open probate as-is?**

Yes, but it can only close after Surrogate's Court has issued Letters Testamentary or Letters of Administration. You can sign a contract earlier; it doesn't speed up the court. See our probate guide.

> **What if I find a new problem after we sign the contract?**

Tell the buyer in writing. If you learn something that makes your disclosure statement materially inaccurate, the law requires you to deliver a revised statement as soon as practicable, up until title transfers or the buyer moves in, whichever comes first (RPL §462).

> **Do I need a real estate attorney for an as-is sale?**

If you already have an attorney, use them.

> **What happens to my mortgage?**

It's paid off at closing from the sale price, and you receive what's left after the payoff, liens and closing costs. When the money arrives depends on the title company and your attorney.

> **Will I lose money selling my house as-is?**

You'll usually get a lower price than for the same house fully repaired, but that isn't the same as losing money. Compare what you'd net after repair costs, months of taxes, insurance and utilities, and any commission against a cash offer that skips all of those.

A cash offer is our main option; if it isn't a good fit for your house, we'll tell you first, so nobody wastes time.

Can I sell as-is if I'm behind on my mortgage or in foreclosure?

Yes, the sale can pay off the loan at closing. If the house you live in is in foreclosure, or your mortgage payment is more than 60 days past due, New York's Home Equity Theft Prevention Act generally gives you 14 business days after signing to cancel a sale contract (Real Property Law §265-a). Plan your closing date around that window.

How fast can I sell my house without making repairs?

With a cash buyer, the repairs drop out of the timeline entirely. With us, most closings take 14–30 days. Close in as little as 5 days when the title is clear and ready. An estate still has to wait for Letters, and a foreclosure sale waits out the 14-business-day cancellation window.

Should I fix the house before selling or sell it as-is?

Compare what you'd keep, not just the price. Add up written repair quotes, the months of taxes, insurance and utilities while you fix and list, and the commission, and set that against an as-is offer. If the repairs are small and you have time, fixing and listing may net more, and we'll be upfront about that tradeoff.

Do I have to clean out the house before I sell it as-is?

Not if the buyer agrees to take it with belongings inside. Put it in the contract so everyone knows what stays. When you sell to us, you can take what you want and leave the rest.

Can I sell a house with open code violations as-is?

Yes. Violations don't stop a sale, but the buyer has to be willing to take them on, so be upfront about them. Our code violations guide walks through how that works in Buffalo.

Where Rust Belt Cash Offer fits

We buy as-is anywhere in Buffalo and across Erie County: no repairs, no commissions, and no cleanout, so you can take what you want and leave the rest. You'll get a cash offer within 24 hours, usually by phone. Most closings take 14–30 days. Need it sooner? If the title is clear and ready, we can close in as little as 5 days. For an estate, that's once Letters are issued; in foreclosure, after the 14-business-day cancellation window. We cover all closing costs.

We look at a lot of houses every week and can't make a cash offer on every one. If yours isn't a fit, we'll say so first, so nobody wastes time. We tend to fit best when you need the proceeds by a set date for your next place, the house needs repairs, you don't want to clear it out, or you want to pick the closing date. If getting as close to top dollar as possible matters most, there's less room for extras, and we'll be upfront about that tradeoff. A cash offer is our main option; if it isn't right, we may have other solutions.

We've bought and sold 350+ houses, we've been buying Western New York houses since 2020, and we're BBB A+ rated, Accredited since 6/2/2021, with offices in Downtown Buffalo & Tonawanda. Call (716) 800-2274 or reach us through our contact page.

> *This article is general information about New York and Buffalo law and practice as of October 2026. It isn't legal or tax advice. Talk to a New York real estate attorney about your own sale.*

Rust Belt Cash Offer

(716) 800-CASH · (716) 800-2274

Phone answered 24/7 · Hablamos español

Rust Belt Cash Offer · 50 Fountain Plaza, Suite 1400, Buffalo, NY 14202 · (716) 800-2274 · https://www.rbcashoffer.com/ · info@rbcashoffer.com

Printed from: https://www.rbcashoffer.com/blog/selling-a-house-as-is-in-buffalo-ny/
Page last updated: November 1, 2026

General information, not legal advice. Rust Belt Cash Offer is a home buyer, not a law firm.