

Foreclosure proceedings had been initiated against Villa Valenti Restaurant

Last month, the same month in which the owners of Villa Valenti Restaurant said they had their best month of business on record, also saw the start of the foreclosure process on their West Sand Lake Road property, which, according to county documents, is a total loss following last Tuesday night's fire. "December sales were the best on record," said owner Ralph Valenti during an interview with The Record. He later reiterated the statistic through a Facebook update. The more than 60-year-old business has been described as a local institution and the owners fully intend on re-opening though details on that are not yet known. "There are so many [negative] rumors," Valenti continued. "It is not good for us when we re-open. We have so many fans. Rumors are such a distraction for re-opening." On Dec. 4, Pennsylvania-based APEX Mortgage Corp. started the foreclosure process for 369 W. Sand Lake Road, where the family-owned Italian restaurant was located. This followed delinquencies from 2008 in which more than \$16,000 in back payments, late fees and interest were owed for the property, according to documents filed with the Rensselaer County Clerk. A notice of pendency of action, a summons and a complaint were all filed as part of the start of the foreclosure on the commercial, non-residential site which was the scene of a three-alarm fire last week.

.When asked about the financial status of the more than \$200,000 property, Valenti said there was not a foreclosure process and explained that he was "playing hard ball to get the mortgage company to lower their rates" and was successful in getting a better rate. "All for nothing, it seems," he continued. "Just seeing what insurance is left after the mortgage and a few bills paid, the policy was half of what the building was worth." Graig Zappia, real estate partner and small business attorney with Albany-based law firm Tully Rinckey, said this part of the foreclosure process is common as a warning. In most cases, the bank works with the client to come to an agreement. But, from his dozen years of experience in the field, he would not advise a client to not pay his or her loan in order to work out a better rate. "There are better ways to do this," he said. "I find that very odd." If the foreclosure process had continued, it likely would have taken more than a year to conclude. But, Zappia said, in most cases, the bank does not want to be a landlord and prefers to make a new deal. And, usually in these cases, the bank is named as the holder of insurance policies to recoup what is owed on the mortgage. Late last week, the North Greenbush Police Department asked the public for help

hoping that residents would call with any details they may have seen at the scene prior to the fire. Police Chief Robert Durivage, at that time, specifically asked if anyone saw cars at the property prior to the blaze other than that of the Villa Valenti Pub employee who was cooking at the site a couple of hours prior to the fire. The cause and origin of the fire have not been officially determined yet. Durivage said on Wednesday that the investigation is still ongoing, but that an update may be made in the coming days, along with a possible request for further help from the public. "We are looking at everything," he said, and could not confirm if the financial status of the restaurant was part of the investigation. "The investigation is not closed." Valenti said that while the restaurant remains closed, customers can still purchase

sauce in area markets and frequent the Villa Valenti Pub in Troy.