



New York State Association of REALTORS®, Inc.

## LEGAL ACTION COMMITTEE REPORT

Tuesday, January 26, 2021

Virtual Zoom Meeting

Starting time: 3:00pm

**John Gerace**  
Chair

**Kevin Loiacono**  
Vice Chair

The Legal Action Committee reviewed the financials and current legal matters supported by NYSAR. Two matters are currently making their way through the courts.

1. CHIP v NYC et al (rent control/rent regulation)

The matter was recently dismissed by a lower Federal court and was appealed to the 2<sup>nd</sup> Circuit Court of Appeals. NYSAR submitted an *amicus* brief on January 21<sup>st</sup> in support of the appeal.

3. NYSAR et al v. DOS (DOS guidance stating a landlord's agent is prohibited from collecting commission from a tenant)

All parties have submitted necessary briefs and the matter is currently being decided by the court.

The Legal Action Committee heard a request for funding from a member and voted not to approve the funding.

NYSAR counsel provided a Legal Department update. Legal hotline volume has maintained an increase in volume since the State of Emergency was imposed. Members are asking more real estate related questions compared to COVID related matters. NYSAR attorneys have returned every call made during this time.

The Legal Department is also offering a free monthly legal update course through Zoom for one hour of CE credit.

Legal Action Committee – Staff Liaison: Anthony Gatto, Esq. [agatto@nysar.com](mailto:agatto@nysar.com).

Committee Description: The Legal Action Committee is a termed committee consisting of 12 individuals appointed by the NYSAR President for a term of three years as well as a Chairperson and Vice Chairperson. The NYSAR Secretary/Treasurer is also a member of the committee. It maintains a watch on legal issues arising throughout the state which could have an effect on the membership and the real estate industry, communicates legal information of importance to the local boards/associations and the membership, and administers the Legal Action Fund for proactive and reactive legal matters.