



New York State Association of REALTORS®, Inc.

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June 14, 2022

David Mossberg, Esq.
New York State Department of State
123 William Street, 20th Floor
New York, NY 10038

RE: Brooklyn Cease and Desist Zones

Dear Mr. Mossberg:

On behalf of thousands of REALTORS® living and working in Kings County, the New York State Association of REALTORS®, Inc. (NYSAR) expresses its strong opposition to the establishment of a cease-and-desist zone for parts or all of Brooklyn.

In a cease-and-desist zone, real estate licensees are prevented from using telephone, mail, delivery service, oral and written communications to the public. For real estate licensees working in Brooklyn, these well-established marketing activities are an effective way to provide valuable information about recent sales, buying and selling opportunities, as well as information on the real estate marketplace in general.

Individual REALTORS® provided virtual and in-person testimony on this topic at the Department of State public hearings on January 11 and June 9, 2022. And, as stated at these hearings, additional cease and desist zones will not alter the current practices of unlicensed entities, corporate buyers and developers. It was these entities in which the residents of Brooklyn spoke out against during both hearings. Not the licensed activities of Brooklyn REALTORS.

Respectfully, NYSAR suggests that penalizing and curbing the business practices of all real estate licensees doing business within Kings County due to the actions of a handful of practitioners and non-licensed individuals is overreaching and harmful. Law abiding real estate brokerages, which are significant contributors to New York's economy, must not be singled out and halted from conducting legitimate business practices. We believe the proper course of action is for the Department to utilize the investigatory powers and remedies within its licensing authority to appropriately address any illegal activity or violation of real estate license law on an individual basis.

Additionally, a county-wide cease and desist zone in the state's most populated county would be an extreme and precedent-setting measure. Brooklyn has 2.6 million residents, more than 10 percent of the state's population. NYSAR is unaware of a cease-and-desist zone ever being established in the state covering this many residents. This would cause substantial harm to the ability of real estate licensees to conduct legitimate business and serve Brooklyn residents.

For these reasons, the New York State Association of REALTORS®, Inc. strongly opposes the adoption of a cease-and-desist zone for parts or the entirety of Kings County and would respectfully urge the Department to refrain from the establishment of additional cease and desist zones.

Jennifer Vucetic
President

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Chief Executive Officer