Legal Update 2025



FEBRUARY

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New York State Association of REALTORS®, Inc.

Legal Hotline

Monday-Friday

9:00a.m.-4:00p.m.

518-436-9727

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ARE TELEMARKETING COLD CALLS STILL PROHIBITED?

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Are cold calls still prohibited?



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When Will the State of Emergency Expire?

- NO COLD CALLS OR COLD TEXTS
- The law is not industry specific and is triggered statutorily by **any** SoE
- Currently multiple SoE's in effect
- Only when all SoE is lifted will cold calling be permitted

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When Will the State of Emergency Expire?

- The following State of Emergency are still in effect:
- **EO 28.22: Support Asylum Seekers**
  Declared: Extended on January 17, 2025 (Original EO 28 declared May 9, 2023)
  Expires: February 16, 2025
- **EO 38.5: Disaster Emergency**
  Declared: Extended on December 27 2024 (Original EO 32 declared August 9, 2024)
  Expires: February 23, 2025

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When Will the State of Emergency Expire?

- NYSAR will notify members when there are no SOE's in effect via email blast
- In the past, it has taken 1-2 days for renewed SOE to be published

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FREE MONTHLY LEGAL UPDATE 2025 DATES

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2025 DATES

- February 11
- March 11
- April 8
- May 6
- June 17
- July 8
- August 19
- September 9
- October 21
- November 4
- December 9

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2025 DATES

- To register:
- https://www.nysar.com/education/legal-update/

- All sessions are recorded and available at the aforementioned website along with the PowerPoint slide deck.

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FRAUD/SCAMS

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Recent Frauds and Scams

- Deed theft
- Fake checks
- Mail theft

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Deed Theft

- **Establish Deed Theft as a Crime:** Under this new law, deed theft is now legally considered grand larceny, and can be prosecuted as such.
  - **Grand Larceny in the First Degree, a Class B Felony** applies to deed theft of a residential real property that is occupied as a home by at least one person and is a home that is owned by someone who is elderly, incapacitated, or physically disabled, or deed theft of three or more residential real properties, regardless of monetary value.
  - **Grand Larceny in the Second Degree, a Class C Felony** applies to deed theft of one residential property, one commercial mixed-use property with at least one residential unit, or two or more commercial properties, regardless of monetary value.
  - **Grand Larceny in the Third Degree, a Class D Felony** applies to deed theft of one commercial real property, regardless of monetary value.

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Deed Theft

- **Extend the Statute of Limitations:** This new law changes the statute of limitations to prosecute deed theft crimes so that prosecution must begin within five years of the theft or within two years after the rightful homeowner realizes their deed has been stolen, whichever occurs later.
- **Grant OAG Original Criminal Jurisdiction:** This new law grants OAG concurrent original jurisdiction to prosecute deed theft crimes alongside district attorneys throughout the state.

Deed Theft

- New Yorkers who believe they are a victim of deed theft are encouraged to contact OAG by
  - calling 1(800) 771-7755
  - emailing deedtheft@ag.ny.gov, or
  - https://formsnym.ag.ny.gov/OAGOnlineSubmissionForm/faces/OAGDTBHome

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Deed Theft

May occur with any type of property but is more popular with:

- Abandoned or vacant properties
- Second homes
- Properties in foreclosure
- Properties with tax or utility liens
- Properties where the homeowner is deceased, and the heirs do not legally transfer title to the property

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Deed Theft

- If you are contacted by a potential seller, be aware it may be an attempt at deed theft if:
  - You will never meet the seller during the transaction
  - The deed to the seller has been recently filed (get a copy)
  - If you request identification make sure the picture on the identification matches the person (schedule a video call to confirm identity)
    - May have repeated excuses why they can’t join a video call

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Deed Theft

- Deed theft can occur by:
  - Bad actor pretends to be the seller
  - Bad actor committed deed theft against owner and then poses as bona fide seller (1 degree of separation from lawful owner)
    - Bad actor may be actual person or person who stole someone else's identity

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Deed Theft

- Fiduciary duty to buyer client
- At the very least:
  - Disclosure (communicate suspected deed fraud)
  - Reasonable care
- Fiduciary duty to seller client:
  - If client is undertaking illegal activity, you cannot be a part of it and there are no fiduciary duties for illegal actions of principle

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Deed Theft

- What can you do if you suspect potential deed theft as a buyer's agent:
  - **Notify buyer's attorney (if no attorney recommend they get one)**
  - Verify identity of seller
  - Verify that notary on deed is real (NYSDOS lookup for licensees)
  - Verify title company listed is real
  - Verify attorney listed for seller is real

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Deed Theft

- What can you do if you suspect potential deed theft as a seller's agent:
  - **Notify seller's attorney (if no attorney that could be a red flag)**
  - Verify identity of seller's attorney (could be a co-conspirator)
  - Verify identity of seller
  - Verify that notary on deed is real (NYSDOS lookup for licensees)
  - Verify title company listed is real

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Deed Theft

- Create a paper trail for yourself if you suspect deed theft
- Communications to your client should be done via email/text/DM
- Don’t put your head in the sand and hope nothing bad happens



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Fake Checks-How to Spot a Fake Check

Determining whether a cashier's check or bank check is legitimate is difficult just by physical inspection. However, there are some things you can do to help identity a fake check:

- Make sure the check was issued by a legitimate bank. While some counterfeit checks will include a legitimate bank's name, a fake name is a sure giveaway. FDIC BankFind allows you to locate FDIC-insured banking institutions in the United States.
  - https://banks.data.fdic.gov/bankfind-suite/bankfind

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Fake Checks-How to Spot a Fake Check

- Check with the bank that supposedly issued the check to make sure it is real. Make sure you look up the phone number on the bank's official website and don't use the phone number printed on the check (that could be a phone number controlled and answered by the scam artist). Next, call the official number and ask them to verify the check. They will likely need to know the check number, issuance date, and amount.
- Consider how and why you received the check. If someone you don't know initiated the payment, be skeptical and proceed cautiously. Scammers often communicate with their victims via e-mail or text message. Their communications may contain poor grammar and spelling errors.

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Fake Checks-How to Spot a Fake Check

- Look where the check was mailed from--if the postmark is not the same as the city and state of the “supposed” issuing bank, it might be an indication the check is fake. Be especially cautious if it was mailed from overseas.
- Determine if the amount of the check is correct and as expected. Fake checks are often made out for more than the agreed upon amount. This is intended to coax the person receiving the check into wiring the overpayment back to the scammer.
- Official checks usually contain watermarks, security threads, color-changing ink and other security features. While scammers are able to sometimes copy these security features, the quality is often poorly executed.

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Fake Checks-What to Do If You Are Scammed

If you think you've been targeted by a counterfeit check scam, report it immediately to any of the following agencies:

- The U.S. Postal Inspection Service at www.uspis.gov (if you received the check in the mail).
- New York State Attorney General's Office. 1-800-771-7755, visiting http://www.oag.state.ny.us/complaints/complaints.html, or writing to: Office of the New York State Attorney General, The Capitol, Albany, NY 12224-0341.
- Federal Trade Commission at www.ftc.gov or by calling 1-877-382-4357.
- For possible online crimes involving counterfeit checks and money orders, file an online complaint with the Internet Crime Complaint Center (www.ic3.gov) (a joint project of the FBI and National White Collar Crime Center).
- Contact your bank

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Fake Checks

- If you are requested to refund all or part of the amount of a check, please do the following:
  - By law, banks have to make deposited funds available quickly, usually within 2 days.
  - When the funds are made available in your account, the bank may say the check has “cleared,” but that doesn’t mean it’s a good check.
  - Fake checks can take weeks to be discovered and untangled. By that time, the scammer has any money you sent, and you’re stuck paying the money back to the bank.

Fake Checks

- Don’t rely on money from a check unless you know and trust the person you’re dealing with.
- Even if the bank is required to make funds available to you, the check can still be fake and when it does not “clear” the bank will require you to return the funds

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Postal Service Scams

- Stealing incoming mail from mailbox
  - Credit cards
  - Financial statements (bank, lender, investments, credit cards etc.)
  - Mail containing personal identifiable information

- USPS Informed Delivery

- https://www.usps.com/manage/informed-delivery.htm

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COMING TO YOU SOON

Hi, Salvatore!

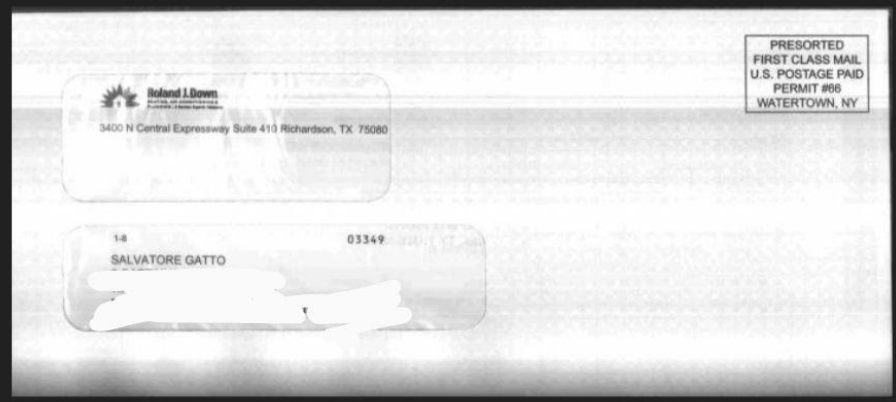
You have 2 mailpiece(s) and 2 inbound package(s) arriving soon.

DEC 18	2	2
	Mailpiece(s)	Package(s)

MAIL

View Dashboard

Expected Today — 2 item(s)



Do more with your mail

Set a Reminder

PACKAGES

View Dashboard

Expected Today

0 item(s)

No packages are available to display.

Expected 1-2 Days

0 item(s)

No packages are available to display.

Awaiting From Sender

2 item(s)

FROM: **AMAZON**

936128968[redacted]

FROM: **AMAZON**

936128968[redacted]

Outbound

0 item(s)

No packages are available to display.

Postal Service Scams

- Stealing outgoing mail from mailbox
  - Checks
  - Mail containing personal identifiable information
  - Bad actors look for “raised flags”
- Checks can be “washed” changing the payee and amount
- How to prevent check “washing”:
  - Security ink pens
  - Security ink toner (printers)

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Postal Service Scams

- Bring directly to Post Office (not a USPS mailbox)
  - In some areas “big blue” USPS mailboxes have been compromised
  - Reports of USPS employees robbed of “arrow key”
  - Bad actors have possession of the “arrow key”
  - “Arrow key” opens “big blue” USPS mailboxes
  - USPS is in process of changing “big blue” boxes and locks

RECENTLY PASSED LEGISLATION

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New Laws

- Definition of “squatter”
- Good cause eviction
- Short term rental registry

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Definition of Squatter

- RPAPL 711
  - A tenant shall not include a squatter. For the purposes of this section, a squatter is a person who enters onto or intrudes upon real property without the permission of the person entitled to possession, and continues to occupy the property without title, right or permission of the owner or owner's agent or a person entitled to possession
- A squatter is not entitled to any of the protections afforded to a legal tenant
- If question as to squatter vs. tenant, presumption is tenant

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Definition of Squatter

- The issue that is presenting itself is the initial determination as to whether the individual is a squatter or tenant
- This matter may afford the squatter certain rights if they claim to be a tenant
- The illegality of the occupancy would need to be established
- If lease is forged, that needs to be proven etc.
- We will need to wait and see how the courts address this

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Definition of Squatter

- If the individual occupying the property had a lease (verbal or written) then they are not a squatter even if they hold over
- Landlords should not claim an occupant is a squatter unless they meet the definition
- Landlords may be subject to liability for claiming a tenant is a squatter
- As this is a legal matter, licensees should not be providing advice, guidance or opinions other than having the landlord speak with their attorney

Good Cause Eviction

- Automatically applies to NYC
- Other municipalities may “opt-in” and make 2 modifications

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Good Cause Eviction

The new good cause eviction law prohibits the eviction or removal of tenants from all housing accommodations without good cause, but exempts the following housing accommodations:

- Premises owned by a “small landlord” (Small landlords are defined as any owner of no more than 10 units in the state.)*
- Owner occupied housing with no more than 10 units
- Units that are sublet, or being used for employment purposes
- Rent-regulated units & affordable housing units
- Condominium or cooperative units

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Good Cause Eviction

The new good cause eviction law prohibits the eviction or removal of tenants from all housing accommodations without good cause, but exempts the following housing accommodations:

- Units with a certificate of occupancy issued after 1/1/2009, for up to 30 years after the issuance of the certificate
- Seasonal use dwelling units
- Certain units used for health care purposes (hospital, assisted living, etc.)
- Manufactured homes, hotels, dormitories, religious facilities and institutions
- Units with a monthly rent greater than 245% of the fair market rent, as determined by the US Department of Housing and Urban Development (HUD)*

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Good Cause Eviction

The following are grounds for removal of tenants under the good cause eviction law:

- The tenant has failed to pay rent unless the rent that is owed is a result of an “unreasonable” rent increase. Unreasonable is defined as the lower of 5% plus the regional Consumer Price Index, or 10% annually.
- The tenant has violated a substantial obligation of their tenancy
- The tenant is permitting or committing a nuisance
- The tenant’s occupation is a violation of law which subjects the landlord to penalties
- The tenant is using the accommodation illegally

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Good Cause Eviction

The following are grounds for removal of tenants under the good cause eviction law:

- The tenant has refused access to the landlord for necessary repairs
- The landlord seeks to recover the unit for personal or familial use
- The landlord, in good faith, seeks to demolish the housing accommodation
- The landlord, in good faith, seeks to withdraw the unit from the rental market
- The tenant fails to agree to reasonable changes to a lease at renewal

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Good Cause Eviction

Localities that opt-in to the good cause eviction law may modify:

- The fair market rent threshold (units with monthly rents above the fair market rent would be exempt); and
- The definition of “small landlord”. For instance, the City of Albany opted-in to good cause eviction and lowered the threshold for exemptions from ten units to one unit.

Good Cause Eviction

Landlords renting units subject to the good cause eviction law are required to attach a specific notice to any initial lease, lease renewal or other notice required by the state's landlord-tenant laws, indicating that the unit is subject to the good cause eviction law.

Notice is in RPL §231-c

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Good Cause Eviction

- **Localities that have opted into the good cause eviction law**
  - Albany (City) – adopted in June 2024
  - Kingston (City) – adopted in July 2024
  - Ithaca (City) – adopted July 2024
  - Poughkeepsie (City) – adopted July 2024
  - Beacon (City) – adopted August 2024
  - Newburgh (City) – adopted September 2024
  - Nyack (Village) – adopted September 2024
  - Hudson (City) – adopted October 2024
  - New Paltz (Village) – adopted October 2024
  - Rochester (City) – adopted December 2024
  - Croton-on-Hudson – adopted January 2025
- https://www.nysar.com/advocacy/new-york-states-good-cause-eviction-law/

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Good Cause Eviction

- As this is a legal matter, licensees should not be providing advice, guidance or opinions other than having the landlord speak with their attorney
- Licensees that assume the role of property manager on behalf of landlord need to consult with their own attorney

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Short Term Rental Registry

- Effective 4/20/2025 (Article 12-D of the Real Property Law)
- "SHORT-TERM RESIDENTIAL RENTAL UNIT" MEANS AN ENTIRE DWELLING UNIT, OR A ROOM, GROUP OF ROOMS, OTHER LIVING OR SLEEPING SPACE, OR ANY OTHER SPACE WITHIN A DWELLING, MADE AVAILABLE FOR RENT BY GUESTS FOR LESS THAN THIRTY CONSECUTIVE DAYS, WHERE THE UNIT IS OFFERED FOR TOURIST OR TRANSIENT USE BY THE SHORT-TERM RENTAL HOST OF THE RESIDENTIAL UNIT.
- "SHORT-TERM RENTAL HOST" MEANS A PERSON OR ENTITY IN LAWFUL POSSESSION OF A SHORT-TERM RENTAL UNIT WHO RENTS SUCH UNIT TO GUESTS IN ACCORDANCE WITH THIS ARTICLE.

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Short Term Rental Registry

- "BOOKING SERVICE" MEANS A PERSON OR ENTITY WHO, DIRECTLY OR INDIRECTLY:

  (A) PROVIDES ONE OR MORE ONLINE, COMPUTER OR APPLICATION-BASED PLATFORMS THAT INDIVIDUALLY OR COLLECTIVELY CAN BE USED TO:

  (I) LIST OR ADVERTISE OFFERS FOR SHORT-TERM RENTALS, AND

  (II) EITHER ACCEPT SUCH OFFERS, OR RESERVE OR PAY FOR SUCH RENTALS; AND

  (B) CHARGES, COLLECTS OR RECEIVES A FEE FOR THE USE OF SUCH A PLATFORM OR FOR PROVISION OF ANY SERVICE IN CONNECTION WITH A SHORT-TERM RENTAL. A BOOKING SERVICE SHALL NOT BE CONSTRUED TO INCLUDE A PLATFORM THAT SOLELY LISTS OR ADVERTISES OFFERS FOR SHORT-TERM RENTALS.

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Short Term Rental Registry

- A BOOKING SERVICE SHALL HAVE ALL THE DUTIES, BENEFITS, AND ENTITLEMENTS OF A PERSON REQUIRED TO COLLECT TAX UNDER THIS ARTICLE AND ARTICLE TWENTYNINE OF THIS CHAPTER WITH RESPECT TO THE OCCUPANCIES GIVING RISE TO THE TAX OBLIGATION, INCLUDING THE RIGHT TO ACCEPT A CERTIFICATE OR OTHER DOCUMENTATION FROM AN OCCUPANT SUBSTANTIATING AN EXEMPTION OR EXCLUSION FROM TAX,

Short Term Rental Registry

- § 447-B. SHORT-TERM RESIDENTIAL RENTAL UNITS; REGULATION. 1. A SHORT-TERM RENTAL HOST MAY OPERATE A DWELLING UNIT AS A SHORT-TERM RESIDENTIAL RENTAL UNIT PROVIDED SUCH DWELLING UNIT:
- (A) IS REGISTERED IN ACCORDANCE WITH SECTION FOUR HUNDRED FORTY-SEVEN-C OF THIS ARTICLE;
- (B) IS NOT USED TO PROVIDE SINGLE ROOM OCCUPANCY AS DEFINED BY SUBDI VISION FORTY-FOUR OF SECTION FOUR OF THE MULTIPLE RESIDENCE LAW AND SUBDIVISION SIXTEEN OF SECTION FOUR OF THE MULTIPLE DWELLING LAW;
- (C) INCLUDES A CONSPICUOUSLY POSTED EVACUATION DIAGRAM IDENTIFYING ALL MEANS OF EGRESS FROM THE UNIT AND THE BUILDING IN WHICH IT IS LOCATED;
- (D) INCLUDES A CONSPICUOUSLY POSTED LIST OF EMERGENCY PHONE NUMBERS FOR POLICE, FIRE, AND POISON CONTROL;
- (E) HAS A WORKING FIRE-EXTINGUISHER;

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Short Term Rental Registry

- § 447-B. SHORT-TERM RESIDENTIAL RENTAL UNITS; REGULATION. 1. A SHORT- TERM RENTAL HOST MAY OPERATE A DWELLING UNIT AS A SHORT-TERM RESIDENTIAL RENTAL UNIT PROVIDED SUCH DWELLING UNIT:
- (F) IS INSURED BY AN INSURER LICENSED TO WRITE INSURANCE IN THIS STATE OR PROCURED BY A DULY LICENSED EXCESS LINE BROKER PURSUANT TO SECTION TWO THOUSAND ONE HUNDRED EIGHTEEN OF THE INSURANCE LAW FOR AT LEAST THE VALUE OF THE DWELLING, PLUS A MINIMUM OF THREE HUNDRED THOUSAND DOLLARS COVERAGE FOR THIRD PARTY CLAIMS OF PROPERTY DAMAGE OR BODILY INJURY THAT ARISE OUT OF THE OPERATION OF A SHORT-TERM RENTAL UNIT. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NO INSURER SHALL BE REQUIRED TO PROVIDE SUCH COVERAGE;
- (G) IS NOT SUBJECT TO THE EMERGENCY TENANT PROTECTION ACT OF NINETEEN SEVENTY-FOUR, THE RENT STABILIZATION LAW OF NINETEEN SIXTY-NINE, THE EMERGENCY HOUSING RENT CONTROL LAW, THE LOCAL EMERGENCY HOUSING RENT CONTROL ACT OR OTHERWISE REGULATED OR SUPERVISED BY A FEDERAL, STATE, OR LOCAL AGENCY PURSUANT TO ANY OTHER LAW OR RULE OR AN AGREEMENT WITH SUCH FEDERAL, STATE, OR LOCAL AGENCY;
- (H) IS IN COMPLIANCE WITH ANY ADDITIONAL HEALTH AND SAFETY REQUIRE MENTS ESTABLISHED BY THE MUNICIPALITY; AND
- (I) IS NOT OTHERWISE PROHIBITED FROM OPERATING AS A SHORT-TERM RENTAL UNIT BY FEDERAL, STATE, OR LOCAL LAW, RULES, AND REGULATIONS.

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Short Term Rental Registry

- § 447-B. SHORT-TERM RESIDENTIAL RENTAL UNITS; REGULATION.
- 2. OCCUPANCIES OF A SHORT-TERM RENTAL UNIT SHALL BE SUBJECT TO TAXES AND FEES PURSUANT TO ARTICLES TWENTY-EIGHT AND TWENTY-NINE OF THE TAX LAW AND APPLICABLE LOCAL LAWS.
- 3&4 Hosts and booking services required to keep records for at least 2 years
- 5. IT SHALL BE UNLAWFUL FOR A BOOKING SERVICE TO COLLECT A FEE FOR FACILITATING BOOKING TRANSACTIONS FOR SHORT-TERM RESIDENTIAL RENTAL UNITS LOCATED IN THIS STATE IF THE BOOKING SERVICE HAS NOT VERIFIED WITH THE DEPARTMENT OF STATE, OR IN CITIES WITH A POPULATION OVER ONE MILLION WITH SUCH CITY, THE SHORT-TERM RENTAL UNIT AND ITS OWNER OR TENANT HAVE BEEN ISSUED A CURRENT, VALID REGISTRATION BY THE DEPARTMENT OF STATE.

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Short Term Rental Registry

- § 447-B. SHORT-TERM RESIDENTIAL RENTAL UNITS; REGULATION.
- 6. If a municipality has its own short term rental law, the provisions of that law are still to be followed but the rental must be registered with the DOS.

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Short Term Rental Registry

- SECTION 447-C. REGISTRATION.
- 1. SHORT-TERM RENTAL HOSTS SHALL BE REQUIRED TO REGISTER A SHORT-TERM RESIDENTIAL RENTAL UNIT WITH THE DEPARTMENT OF STATE.
  - (A) REGISTRATION WITH THE DEPARTMENT OF STATE SHALL BE **VALID FOR TWO YEARS**, AFTER WHICH TIME THE SHORT-TERM RENTAL HOST MAY RENEW THE REGISTRATION IN A MANNER PRESCRIBED BY THE DEPARTMENT OF STATE. THE DEPARTMENT OF STATE MAY REVOKE THE REGISTRATION OF A SHORT-TERM RENTAL HOST UPON A DETERMINATION THAT THE SHORT-TERM RENTAL HOST HAS VIOLATED ANY PROVISION OF THIS ARTICLE AT LEAST THREE TIMES IN TWO CALENDAR YEARS, AND MAY DETERMINE THAT THE SHORT-TERM RENTAL HOST SHALL BE INELIGIBLE FOR REGISTRATION FOR A PERIOD OF UP TO TWELVE MONTHS FROM THE DATE OF SUCH DETERMINATION OR AT THE REQUEST OF A MUNICIPALITY WHEN SUCH MUNICIPALITY REQUESTS SUCH REVOCATION DUE TO ILLEGAL OCCUPANCY. LISTING OR OFFERING A DWELLING UNIT, OR PORTION THEREOF, AS A SHORT-TERM RESIDENTIAL RENTAL UNIT WITHOUT CURRENT, VALID REGISTRATION SHALL BE UNLAWFUL AND SHALL MAKE PERSONS WHO LIST OR OFFER SUCH UNIT INELIGIBLE FOR REGISTRATION FOR A PERIOD OF TWELVE MONTHS FROM THE DATE A DETERMINATION IS MADE THAT A VIOLATION HAS OCCURRED.

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Short Term Rental Registry

- SECTION 447-C. REGISTRATION.
- 1. SHORT-TERM RENTAL HOSTS SHALL BE REQUIRED TO REGISTER A SHORT-TERM RESIDENTIAL RENTAL UNIT WITH THE DEPARTMENT OF STATE.
  - (B) A SHORT-TERM RENTAL HOST SHALL INCLUDE THEIR CURRENT, VALID REGISTRATION NUMBER ON ALL OFFERINGS, LISTINGS OR ADVERTISEMENTS FOR SHORTTERM RENTAL GUEST STAYS.
  - (C) A TENANT, OR OTHER PERSON THAT DOES NOT OWN A UNIT THAT IS USED AS A SHORT-TERM RENTAL UNIT BUT IS IN LAWFUL POSSESSION OF A SHORT-TERM RESIDENTIAL RENTAL UNIT, SHALL NOT QUALIFY FOR REGISTRATION IF THEY ARE NOT THE PERMANENT OCCUPANT OF THE DWELLING UNIT IN QUESTION AND HAVE NOT BEEN GRANTED PERMISSION IN WRITING BY THE OWNER FOR ITS SHORT-TERM RENTAL. PROOF OF WRITTEN CONSENT BY THE OWNER SHALL BE PROVIDED TO AND VERIFIED BY THE DEPARTMENT OF STATE OR ANY MUNICIPALITY WITH ITS OWN REGISTRATION SYSTEM BEFORE THE ISSUING OR RENEWAL OF A REGISTRATION NUMBER.

Short Term Rental Registry

- SECTION 447-C. REGISTRATION.
- 1. SHORT-TERM RENTAL HOSTS SHALL BE REQUIRED TO REGISTER A SHORT-TERM RESIDENTIAL RENTAL UNIT WITH THE DEPARTMENT OF STATE.
  - (D) THE DEPARTMENT OF STATE SHALL MAKE AVAILABLE TO BOOKING SERVICES THE DATA NECESSARY TO ALLOW BOOKING SERVICES TO VERIFY THE REGISTRATION STATUS OF A SHORT-TERM RESIDENTIAL RENTAL UNIT AND THAT THE UNIT IS ASSOCIATED WITH THE SHORT-TERM RENTAL HOST WHO REGISTERED THE UNIT.

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Short Term Rental Registry

- SECTION 447-C. REGISTRATION.
- 2. IT SHALL BE UNLAWFUL FOR A BOOKING SERVICE TO COLLECT A FEE FOR FACILITATING BOOKING TRANSACTIONS FOR SHORT-TERM RESIDENTIAL RENTAL UNITS LOCATED IN THIS STATE WITHOUT SUCH BOOKING SERVICE FIRST REGISTERING WITH THE DEPARTMENT OF STATE. ACCORDINGLY, BOOKING SERVICES SHALL ADHERE TO THE FOLLOWING, IN ADDITION TO OTHER REGULATIONS ESTABLISHED BY THE DEPARTMENT, AS CONDITIONS OF SUCH REGISTRATION:
  - (A) BOOKING SERVICES SHALL PROVIDE TO THE DEPARTMENT ON A QUARTERLY BASIS, IN A FORM AND MANNER TO BE DETERMINED BY THE DEPARTMENT, THE REPORT DEVELOPED AND MAINTAINED BY THE BOOKING SERVICE IN ACCORDANCE WITH SUBDIVISION FOUR OF SECTION FOUR HUNDRED FORTY-SEVEN-B OF THIS ARTICLE. THE DEPARTMENT SHALL SHARE THIS REPORT WITH COUNTY, CITY, TOWN, OR VILLAGE GOVERNMENTS AND SHALL MAKE SUCH REPORTS AVAILABLE TO LOCAL MUNICIPAL ENFORCEMENT AGENCIES WHEN LAWFULLY REQUESTED.

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Short Term Rental Registry

- SECTION 447-C. REGISTRATION.
- 2. IT SHALL BE UNLAWFUL FOR A BOOKING SERVICE TO COLLECT A FEE FOR FACILITATING BOOKING TRANSACTIONS FOR SHORT-TERM RESIDENTIAL RENTAL UNITS LOCATED IN THIS STATE WITHOUT SUCH BOOKING SERVICE FIRST REGISTERING WITH THE DEPARTMENT OF STATE. ACCORDINGLY, BOOKING SERVICES SHALL ADHERE TO THE FOLLOWING, IN ADDITION TO OTHER REGULATIONS ESTABLISHED BY THE DEPARTMENT, AS CONDITIONS OF SUCH REGISTRATION:
  - (B) A BOOKING SERVICE SHALL PROVIDE AGREEMENT IN WRITING TO THE DEPARTMENT THAT IT WILL:
    - (I) OBTAIN WRITTEN CONSENT FROM ALL SHORT-TERM RENTAL HOSTS INTENDING TO UTILIZE THEIR PLATFORM, FOR SHORT-TERM RESIDENTIAL RENTAL UNITS LOCATED IN THIS STATE, FOR THE DISCLOSURE OF THE INFORMATION PURSUANT TO SUBDIVISION FOUR OF SECTION FOUR HUNDRED FORTY-SEVEN-B OF THIS ARTICLE, IN ACCORDANCE WITH PARAGRAPH (A) OF THIS SUBDIVISION; AND
    - (II) FURNISH THE INFORMATION IDENTIFIED PURSUANT TO SUBDIVISION FOUR OF SECTION FOUR HUNDRED FORTY-SEVEN-B OF THIS ARTICLE, IN ACCORDANCE WITH PARAGRAPH (A) OF THIS SUBDIVISION.

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New Laws on Pause

- TCPA-By this Order, we postpone the effective date for revisions to section 64.1200(f)(9) of the Commission's rules, 47 CFR § 64.1200(f)(9),1 by 12 months, to January 26, 2026, or until the date specified in a Public Notice following a decision from the court reviewing a challenge to the new rule

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New Laws on Pause

- BOI-In light of a recent federal court order, reporting companies are not currently required to file beneficial ownership information with FinCEN and are not subject to liability if they fail to do so while the order remains in force. However, reporting companies may continue to voluntarily submit beneficial ownership information reports.

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