New York State Association of REALTORS®, Inc.

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MEMORANDUM IN SUPPORT

A.1250 by Assemblymember Amy Paulin
Status: Assembly Codes Committee (On Agenda 6/5/25)

S.6853 by Senator Joseph Addabbo
Status: Senate Consumer Protection Committee

Date: June 2025
Contact: Michael Kelly

The New York State Association of REALTORS®, Inc. **strongly supports A.1250(Paulin)/S.6853 (Addabbo)**, which would provide for a technical amendment to current law allowing for legitimate telemarketing business activities during declared States of Emergency, unless the declaration includes a finding that telemarketing calls would impair actions taken to limit, control or mitigate a State of Emergency.

In 2019, the Legislature amended NYS General Business Law prohibiting any telemarketing during a State of Emergency to ensure that communication lines remain open for New York residents in times of crisis. Unbeknownst to state lawmakers at the time was the fact that in less than a year, the COVID-19 health crisis would hit New York and the world. Subsequently, a State of Emergency was declared by the governor in March of 2020. Although that particular State of Emergency ended in June 2021, subsequent states of emergency have been declared since, including statewide States of Emergency related to gun violence, healthcare staffing shortages, and the arrival of asylum seekers. All three of these States of Emergency have resulted in bans on telemarketing across the state, despite there being no connection between these health and public safety-related emergencies and the state's telecommunications system.

New York is currently facing a housing shortage that has only been exacerbated by the pandemic. The current law and declared States of Emergency have diminished New York's real estate licensees' ability to fully service their buyer clients in their search for a home as licensees cannot contact current homeowners that may be willing to consider selling their property. Absent the declarations, real estate licensees would also be able to market properties to potential buyers. Allowing licensees to communicate with potential sellers will also result in more housing inventory on the market, which is severely lacking across New York.

In advancing this bill, the Legislature would correct the 2019 law's overly broad application and refine its intent to permit the legitimate and important business practice of telemarketing during States of Emergency in certain instances. Significantly, the legislation would give the Executive Branch discretion to prohibit telemarketing when the State of Emergency necessitates imposing a temporary prohibition, aligning with the original intent of the law.

Jacqlene Rose President | **Ron Garafalo** President-Elect | **Dan Staley** Treasurer | **Joe Rivellino** Immediate Past President | **Duncan R. MacKenzie** Chief Executive Officer

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For these reasons, the New York State Association of REALTOR®, Inc. strongly supports **A.1250/S.6853** and urges its swift adoption.

The New York State Association of REALTORS® is a not-for-profit trade organization representing more than 61,000 of New York State's real estate professionals. The term REALTOR® is a registered trademark, which identifies real estate professionals who subscribe to a strict code of ethics as members of the National Association of REALTORS®. These REALTORS® are also members of the New York State Association of REALTORS® as well as their local board or association of REALTORS®.

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