



NEW YORK STATE SENATOR

Jeffrey D. Klein

Protecting Bronx Homeowners

JEFFREY D. KLEIN June 11, 2010

| ISSUE: **HOUSING, NEW YORK CITY**

Klein Announces Victory with State Non-Solicitation Renewal

BRONX, NY – A longtime advocate for protecting homeowners orders from unscrupulous real estate brokers, State Senator and Deputy Majority Leader Jeff Klein (D-Bronx/Westchester) commended New York Secretary of State Lorraine Cortés-Vázquez on Thursday for placing local Community Boards 10, 11 and 12 under a renewed non-solicitation, cease-and-desist rule to defend Bronx homeowners against unwanted solicitation from realtors.

“I commend Secretary of State Cortés-Vázquez for heading the calls of countless Bronx residents and renewing this cease-and-desist rule. Hard-working Bronx residents deserve the full protection of state law from unscrupulous and overzealous real estate agents,” said State Senator and Deputy Majority Leader Jeff Klein (D-Bronx/Westchester).

Last December, Klein joined representatives from numerous Bronx civic and homeowner associations as well as leaders from multiple Bronx Community Boards to call for the renewal of a Non-Solicitation order from Bronx County Community Boards 9,10,11 and 12. The non-solicitation order for these Community Boards expired on August 1, 2009.

A Non-Solicitation order, also known as a Cease and Desist Zone, is utilized by the Department of State to combat aggressive and overzealous solicitation practices by deceitful real estate brokers and salespersons. Under a Cease and Desist Zone, it's a violation of licensing law for licensed real estate professionals to solicit any property listing from any owner whose name and address appears on a cease and desist list. The orders create a "Do Not Solicit" Registry for real estate advertisements in neighborhoods that have been victimized by past blockbusting. The Department of State updates and releases the list twice a year.

When Klein discovered that the non-solicitation order in many Bronx communities expired last year, he asked constituents to send all solicitations they were receiving to his office. Dozens of constituents brought mail into Klein's district office that included misleading, deceptive statements, such as: "I want to buy your property at 'X' dollars, as is, make you a fair 'cash' offer, and close on the date you choose" or "I did some research in the public records department downtown and found out you had lived at the property for quite some time and wanted to find out if you were thinking of selling it. I want to make things as easy as possible for us to do business."

Klein immediately forwarded the information to NY Secretary of State, Lorraine Cortes-Vasquez and requested that the Secretary of State renew the non-solicitation order.

In 1999, while serving in the NYS Assembly, Klein sponsored legislation that was signed into law by Governor Pataki in 2001 to expand the scope of non-solicitation orders to include real estate solicitations by unlicensed real estate speculators. The law authorized the NY Secretary of State to investigate and prosecute violations of the real estate property law by both licensed and unlicensed individuals.

When Klein discovered that the non-solicitation order in many Bronx communities expired last year, he asked constituents to send all solicitations they were receiving to his office. Dozens of constituents brought mail into Senator Klein's district office that included misleading, deceptive statements, such as: "I want to buy your property at 'X' dollars, as is, make you a fair 'cash' offer, and close on the date you choose." "I did some research in the public records department downtown and found out you had lived at the property for quite some time and wanted to find out if you were thinking of selling it. I want to make things as easy as possible for us to do business."

After receiving six questionable solicitations, Klein immediately forwarded the information to NY Secretary of State, Lorraine Cortes-Vasquez, hoping to put an end to the deceptive practices before more constituents become victims. The Senator also wrote a letter urging the Secretary of State to renew the non-solicitation order.