



NEW YORK STATE SENATOR

Tony Avella

Community Members Rally With Senator Avella For Cease and Desist Zone

TONY AVELLA September 20, 2016

| ISSUE: **CEASE AND DESIST**

Queens, NY – Last week, Senator Tony Avella and community members stood before the Department of State to provide testimony and other evidence of intense and repeat solicitation by real estate brokers and sales people. The two public hearings, one on September 14th and another on September 15th, at P.S. 115Q in Bellerose and Bayside High School, respectfully, were requested by the Department of State so they can effectively gauge the need for a “cease and desist” zone.

A number of homeowners from various neighborhoods testified that they feel harassed by agents who send letters, leave flyers, and knock on doors to pressure them into selling their property. Real estate agents attempt to create a feeling of urgency, panicking homeowners into selling their homes before property values drop. This practice is notorious for preying on the elderly. Senior citizens are specifically targeted at a higher rate than others.

Queens is no stranger to a “cease and desist” zone, from 1989 to 2014 a zone existed allowing residents to opt-out of real estate solicitation by submitting their address to a list. The zone was adopted to protect homeowners from real estate agents using unscrupulous or excessive tactics to pressure homeowners into believing that they will see a decline in property value. Since the zone expired in 2014, reports of excessive and unwanted solicitation by real estate

agents skyrocketed.

“The law states that once a cease and desist zone is created it is still the option of the property owner to voluntarily decide whether or not they want to continue to receive these solicitations or whether they choose not to receive such solicitations. I believe this is straightforward and recognizes the rights of both the real estate professional and the homeowner and balances both of their interests in engaging in their profession and protecting their right to privacy” **testified Senator Avella.** Additionally, the real estate agents testified that such a list would not put an extra burden on them or their daily operations.

Senator Avella was joined by Assemblyman David Weprin and Councilman Barry Grodenchik who spoke on behalf of their constituents throughout the borough in favor of a cease and desist zone. “All too often, my constituents face tactics that involve aggressive and continuous solicitations in the form of unwanted calls, visits, and mailings from real estate brokers and salespersons” **said Assemblyman David Weprin.** “Seniors are frequently targeted and at times pushed into selling their homes. Residents should have the right to simply state that they are not interested in selling their homes without having to deal with repeat solicitation” **added Councilman Grodenchik.**

Written testimony can still be submitted to the Department of State until September 30th.