



NEW YORK STATE SENATOR

Tony Avella

Queens Cease and Desist Lists Go Into Effect

TONY AVELLA January 9, 2018

Queens, NY – Last week, as Queens residents were celebrating the new year and all that 2018 might bring, many were also celebrating the institution of the new Department of State (DOS) Cease and Desist list for parts of Queens that will put an end to unwanted real estate solicitations.

The list, which can be found on the DOS website, already has 1,033 properties in Bay Terrace and portions of Auburndale, Bayside, College Point, Malba, Murray Hill, North Flushing, and Whitestone that will finally be able to stop the repeat and intense solicitation that has been a terror since the previous cease and desist zone was scaled back in 2009 and ultimately expired in 2014.

“There may be 1,033 houses already on the list but there is always room for more,” **Senator Avella** reminded residents of these Queens neighborhoods. “The Department of State will continue to accept new submissions and will update the list monthly.”

In order to curb aggressive real estate solicitation practices, the State legislature designated the entire County of Queens a "cease and desist zone" in 1989. This law allowed homeowners in Queens to place their names and addresses on a cease and desist list, providing them a choice to opt out of receiving unwanted real estate solicitation at their homes. However, when the DOS regulations sunset on August 1, 2014, the intense real estate solicitation

practices returned. Senator Avella worked with community leaders, local civic associations, and community boards to bring this issue before the DOS, which then held three public hearings in 2016 to assess whether the solicitations have once again become “intense and repeated.” To no one’s surprise, DOS considered the community’s testimony and agreed that there is sufficient evidence to reinstate these important regulations.

Under the regulations put out by DOS, “no licensed real estate broker or salesperson shall solicit the sale, lease or the listing for sale or lease of residential property from an owner of residential property located in a designated cease-and-desist zone if such owner has filed a cease-and-desist notice with the Department of State indicating that such owner or owners do not desire to sell, lease or list their residential property and do not desire to be solicited to sell, lease or list their residential property.”

In addition to the new cease and desist zones, which expire on September 1, 2022, Senator Avella is the sponsor of legislation (**S1895**) in the Senate that designates the entire county of Queens a cease and desist zone and extends the non-solicitation orders from five to ten year periods.

“Though I wish that the cease and desist zone covered the entire borough of Queens, I think we have taken a very big step towards protecting homeowners from the predatory tactics of real estate agents that became a norm in our neighborhoods. These new zones will also help to promote a better relationship between homeowners and real estate agents who work and live in the community. The creation of these zones is a common sense solution to the aggressive real estate industry campaign to bully homeowners into thinking it is time to sell their home. I thank the Department of State for realizing that the solicitation residents faced was intense and unending and for taking action to put an end to this. I look forward to working with the Department of State to expand the zone to provide relief for all of the residents of Queens who fall prey to aggressive real estate tactics,” **said Senator Tony Avella**

when the new zones were announced.