

# CEASE AND DESIST ORDER

## *Guidance on New Regulations*

### New Department of State Regulation - Cease and Desist Zones

On November 1, 2020, a new regulation will go into effect to address aggressive real estate solicitation in parts of Kings County, New York (i.e., Brooklyn, NY). The regulation prohibits the solicitation of a real estate listing from any homeowner whose name appears on a Department of State issued cease and desist list.

Real estate brokers, real estate salespeople and other persons regularly engaged in the buying and selling of real estate are prohibited from soliciting a listing from homeowners included on the cease and desist list.

The new zone that will go into effect on November 1st does not alter other zones already in effect in parts of Bronx and Queens Counties, and for the Incorporated Village of Chestnut Ridge

### What is the Purpose of a Cease and Desist Order?

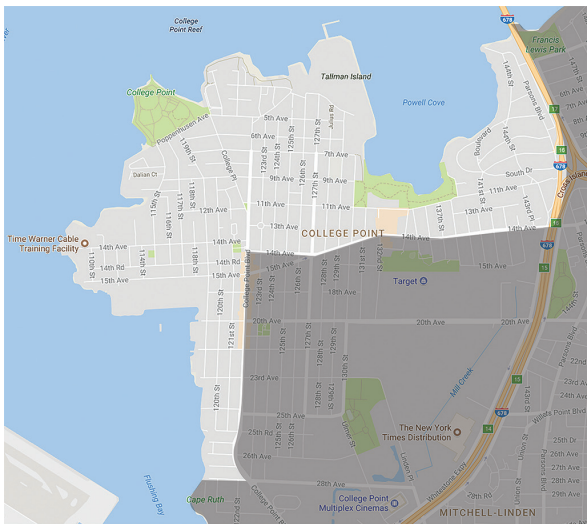
The cease and desist regulation is designed to protect homeowners who do not wish to receive real estate solicitations.

### Are All Areas of the State Covered Under the Cease and Desist Zones?

No, only select portions of Kings, Bronx, Queens, and Rockland Counties are covered under the cease and desist order. A map of the covered areas can be found on the Department of State's website, <http://www.dos.ny.gov/licensing/ceaseanddesist>.

### What Forms of Solicitation Are Outlawed by the Cease and Desist Regulation?

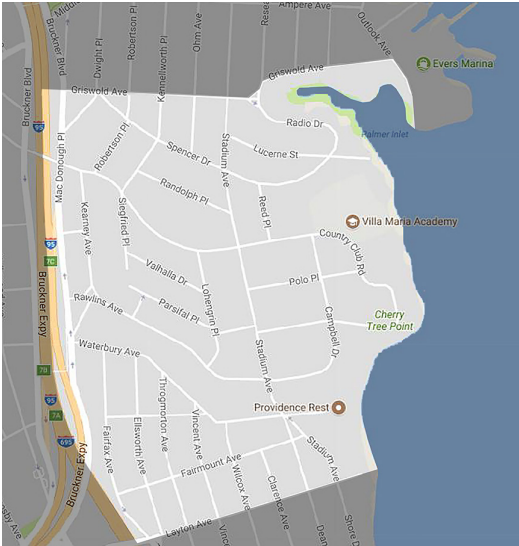
Listings may not be solicited from a homeowner whose name appears on a cease and desist list. This includes solicitation by telephone, mail, door-to-door communication, e-mail, text message or any other direct means.



**Queens Map 1:**  
College Point, Malba and Whitestone



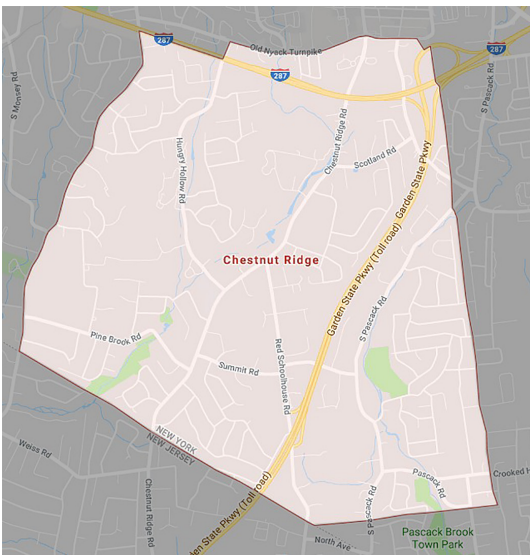
**Queens Map 2:**  
Bay Terrace and portions of Whitestone, Bayside,  
Auburndale, Murray Hill and North Flush



**Bronx Map:**  
Country  
Club area  
of Bronx  
County



**Kings County Map:**  
Community Board 5



**Rockland  
Map:**  
Incorporated  
Village of  
Chestnut  
Ridge

## How Can Homeowners Register to Be Included On the Cease and Desist List?

Homeowners may add their names to a cease and desist list by registering on the Department of State website, <http://www.dos.ny.gov/licensing/ceaseanddesist>, or by requesting and completing a registration form. Cease and desist lists are updated on a monthly basis.

## Can Penalties Be Assessed for Violating the Cease and Desist Regulations?

Yes, the Department of State may impose penalties for violations of the cease and desist regulations. Depending upon the severity of the offense, the penalty for sending an unlawful solicitation may range from a reprimand, to a fine up to \$1,000, to license suspension and license revocation. To file a complaint with the Department of State, please complete and return a Preliminary Statement of Complaint ([www.dos.ny.gov/licensing/complaint\\_links.html](http://www.dos.ny.gov/licensing/complaint_links.html)).

## How are Areas Selected for Cease and Desist Zones?

After public hearing and investigation, the Department of State determines whether homeowners within a defined geographic area are subject to repeat and intense solicitation to sell their property. If so, a cease and desist order may be issued.

## If a Homeowner Is Included On the Cease and Desist List, May They Still Sell Their Home?

Yes. The fact that a homeowner is on a cease and desist list does not prevent a homeowner from selling or listing his or her home for sale with a real estate broker.

If you have any questions regarding the cease and desist zones in Bronx, Queens, Kings or Rockland Counties, you may email questions to the Department at: [eAccessNY@dos.ny.gov](mailto:eAccessNY@dos.ny.gov) or contact (518) 474-4429.

Call Center Representatives are available from 8:45am to 4:30pm Monday through Friday except on Legal Holidays.