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Governor

NEW YORK STATE | Department of State
Licensing Services

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A Division of the New York Department of State

CEASE AND DESIST ZONES

Guidance on Creating a New Zone

Cease and Desist Zones

Cease and Desist Zones prohibit soliciting the sale of real estate from any homeowner whose name(s) appear(s) 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 homeowners included on the cease and desist list.

How are Areas Selected for Cease and Desist Zones?

After 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 zone may be established.

What is the Purpose of a Cease and Desist Zone?

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

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

Generally, soliciting a homeowner whose name appears on a cease and desist list is prohibited. This includes solicitation by telephone, mail, door-to-door communication, e-mail, text message, or any other direct means.

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

Once a zone has been created, homeowners may add their names to a cease and desist list by registering on the Department of State website, https://dos.ny.gov/cease-and-desist-zones, 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 (https://dos.ny.gov/preliminary-statement-complaint-0).

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, you may email questions to the Department at: realestate@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.