

Subject: Communication from NYS Department of State, Division of Licensing Services Regarding Standardized Operating Procedures

Date: Tuesday, April 5, 2022 at 2:30:47 PM Eastern Daylight Time

From: DOS, Division of Licensing Services

To: DOS, Division of Licensing Services

KATHY HOCHUL
GOVERNOR



Dear Real Estate Licensee:

In accordance with Chapter 153 of the Laws of 2022, effective April 20, 2022: *"Each real estate broker shall institute standardized operating procedures for the prerequisites prospective homebuyers must meet prior to receiving any services. Such standardized operating procedures shall include but not be limited to the following: (i) whether prospective clients shall show identification; (ii) whether an exclusive broker agreement is required; (iii) whether pre-approval for a mortgage loan is required"*. For reference, the text of the law is available online [here](#).

Starting April 20, 2022, every real estate broker operating within the State of New York **must post such standardized operating procedures on each publicly available website and mobile device application they maintain**. Additionally, each publicly available website and mobile device application operated by an associated agent or "team" of such broker, must have posted their broker's standardized operating procedures or a direct link to such information on their broker's website. Brokers must keep an archive of all standardized procedures, for as long as they are actively licensed, by having each amendment date stamped and notarized. All new procedures must be posted and made available, at each brokerage office and online, within 30 days of any changes. Real estate brokers are not, however, required to file their standardized operating procedures with the Department of State.

Brokers and their associated licensees must be in compliance with this new provision of law by April 20, 2022. In addition, law provides that any broker or salesperson operating under a brokerage license that fails to adhere to such operating procedures shall be subject to discipline.

Please visit the Department's website for periodic updates and other important information [here](#).

Sincerely,

Division of Licensing Services
NYS Department of State

STANDARDIZED OPERATING PROCEDURE FOR PURCHASERS OF REAL ESTATE
PURSUANT TO REAL PROPRTY LAW §442-H

Davis-Davis Real Estate (the "Broker") is making this Standardized Operating Procedure available on any publicly available website and mobile device application maintained by the Broker and any of its licensees and teams. Broker has copies of these Standardized Operating Procedures available to the public upon request at Broker's office location.

Please be advised that Broker:

- Requires Does not require 1. Prospective buyer clients to show identification*
- Requires Does not require 2. Exclusive buyer broker agreements
- Requires Does not require 3. Pre-approval for a mortgage loan / proof of funds*

*Although Broker may not require such information, a seller of real estate may require this information prior to showing the property and/or as part of any purchase offer.

Acknowledgement of Broker

Broker:

By: [Signature]
Name:
Title:

Pamela Hawley Dean
Notary Public, State of New York
Qualified in Washington County
NO.01HA6137007
Commission Expires 11-14-2025

State of NY
County of Warren

The foregoing document was acknowledge before me this 4 day of April 2022 by Dan Davis who personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

[Signature]
Notary Signature