



New York State
DEPARTMENT OF STATE
Division of Licensing Services
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Apartment Information Vendor/ Apartment Sharing Agent Application

Please take the time to read the instructions in this package carefully before beginning the application form. Incomplete forms will be returned, delaying licensure. Any omission, inaccuracy or failure to make full disclosure in an application may be deemed sufficient reason to deny a license or could result in the suspension or revocation, if one is issued.

What is in this package?

This application package includes all the information and forms you will need to apply for registration as an Apartment Information Vendor or Apartment Sharing Agent.

A completed application includes: the 3-page application form; the \$400 nonrefundable application fee; a certificate of deposit showing the minimum balance in the special interest bearing account as defined by Section 446(b)(6) of the Real Property Law (explained below), and a sample copy of the standard contract form (see Section 446(c) of the Real Property Law and NYCRR 190.1 and 190.2).

If you are applying for a branch office license, you must submit Attachment A of this application packet and the \$250 nonrefundable application fee for each branch office.

What is an Apartment Information Vendor?

An Apartment Information Vendor is any person who engages in the business of claiming, demanding, charging, receiving, collecting, or contracting for the collection of, a fee from a customer for furnishing information concerning the location and availability of real property, including apartment housing, which may be leased, rented, shared or sublet as a private dwelling, abode, or place of residence.

What is an Apartment Sharing Agent?

An Apartment Sharing Agent means any person who, for a fee, arranges, conducts, coordinates, handles or causes meetings between a customer and the current owner or occupant of legally occupied real property, including apartment housing, who wishes to share that housing with one or more individuals as a private dwelling, abode or place of residence, but it shall not apply to any person who for another and for a fee, commission or other valuable consideration, supervises, organizes, arranges, coordinates, handles or is otherwise in charge of or responsible for the relocation of commercial or residential tenants from buildings or struc-

tures that are to be demolished, rehabilitated, remodeled or otherwise structurally altered.

Do I need to establish a special account?

Yes. Every applicant applying for licensure as an:

Apartment Information Vendor must establish and maintain a special interest bearing account in the minimum amount of \$5,000 in a branch of a national or state chartered banking institution having a place of business within the state, plus \$2,500 for each licensed branch office. Additionally, an escrow account as prescribed by Title 19 NYCRR 190.2 must be submitted for approval.

-OR-

Apartment Sharing Agent must establish and maintain a special interest bearing account in the minimum amount of \$2,500 in a branch of a national or state chartered banking institution having a place of business within the state, plus \$1,250 for each licensed branch office.

In either case, the account must provide that moneys may not be withdrawn without the written consent of the Secretary of State. **Please note:** Monies will not be released until 6 months from the date of request.

What are the application fees and term of licensure?

The nonrefundable application fee is \$400; each license is for one term beginning November 1 and ending October 31 of the next year. A license for each branch office is \$250.

What forms of payment do you accept?

You may pay by check or money order made payable to the Department of State or charge the fee to MasterCard or Visa. Cash will not be accepted. Application fees are nonrefundable.

Do I need to complete the Child Support Statement section of the application?

Yes, if you applying as an individual (i.e., as a sole proprietor), a Child Support Statement is mandatory in New York State (General Obligations Law). The law requires you to complete this section - regardless of whether or not you have children or any support obligation.

Any person who is four months or more in arrears in child support may be subject to having his or her business, professional and driver's licenses suspended. The intentional submission of a false written statement for the purpose of frustrating or defeating the lawful enforcement of support obligations is punishable under §175.35 of the Penal Law. It is a class E felony to offer a false instrument for filing with a state or local government with the intent to defraud.

PRIVACY NOTIFICATION

Do I need to provide my Social Security and federal ID numbers on the application?

Yes. The Department of State is required to collect the federal Social Security and Employer Identification numbers of all licensees. The authority to request and maintain such personal information is found in §5 of the Tax Law and §3-

503 of the General Obligations Law. Disclosure by you is mandatory. The information is collected to enable the Department of Taxation and Finance to identify individuals, businesses and others who have been delinquent in filing tax returns or may have underestimated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. It will be used for tax administration purposes and any other purpose authorized by the Tax Law and may also be used by child support enforcement agencies or their authorized representatives of this or other states established pursuant to the Title IV-D of the Social Security Act, to establish, modify or enforce an order of support, but will not be available to the public. A written explanation is required where no number is provided. This information will be maintained in the Licensing Information System by the Director of Administration and Management, at 41 State Street, Albany, NY 12231-0001