



Maria T. Vullo
Superintendent
New York State Department of Financial Services
One Commerce Plaza
Albany, NY 12257

November 28, 2016

**Comments on proposed regulation 3 NYCRR 422
Inspecting, Securing, and Maintaining Vacant and Abandoned
Residential Real Property**

Re: Please make the location of abandoned properties and other basic information collected under RPAP 1310 available to the public.

Dear Superintendent Vullo:

We write to comment on the Department of Financial Services' proposed regulation, 3 NYCRR 422, which pertains to abandoned properties and the creation of a statewide vacant and abandoned property electronic registry.

We ask that you use the power of your office to benefit the public by acting to ensure that members of the public can easily learn:

- Where abandoned properties are located;
- How long they have been abandoned; and
- Who is legally responsible for them.

This information helps the public understand the scope and severity of the “zombie” property problem without infringing on personal privacy or trade secrets.

One way you can do this is by determining that all information reported under this legislation is presumed to be in the public interest unless it was previously excluded from disclosure under the Freedom of Information Law.

Though we understand that the Department of Financial Services is proposing regulations that closely track legislation, we want to join with the State Committee on Open Government and publicly register our dismay that this legislation seems intended to create a new and completely unwarranted exception to the Freedom of Information Law.

We find it troubling that the State is spending the public's tax dollars to collect information about abandoned properties and then is classifying that information as secret and keeping it from the public. This is completely backwards and we urge you to use the power of your office to benefit the public by acting to ensure that members of the public can easily get information about zombie properties.

Thank you,

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