

**DISTRICT ATTORNEY  
COUNTY OF NEW YORK  
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New York, N. Y. 10013  
(212) 335-9000**



**ALVIN L. BRAGG, JR.**  
DISTRICT ATTORNEY

February 7, 2023

To Whom it May Concern:

There have been concerns raised by the New York City Sheriff's Office, the New York City Police Department (NYPD), and many citizens of the City of New York about illegal activity occurring in smoke shops across the five boroughs. Some of this conduct includes the unlicensed sale of cannabis, the sale of untaxed cigarettes, and the sale of adulterated products. This letter is to inform you that the Manhattan's District Attorney's Office is prepared to use our civil authority under Real Property Actions and Proceedings Law § 715(1) to require owners and landlords to commence eviction proceedings of commercial tenants who are engaged in illegal trade or business, and to take over such eviction proceedings if necessary. Of course, in instances where criminal charges are warranted, including but not limited to tax evasion, money laundering, or the sale of cannabis and other narcotics to minors, my office will work with our law enforcement partners to prosecute those crimes.

When it was signed into law in 2021, the Marijuana Regulation and Taxation Act created a comprehensive regulatory structure to oversee the licensure, cultivation, production, distribution, sale and taxation of medical, adult-use and cannabinoid hemp within New York State. The New York State Cannabis Control Board has since established a framework grounded in cannabis public health best practices, including keeping cannabis products out of the hands of youth, establishing product quality and safety guidelines, outlining employee training standards, and defining business security requirements to protect public safety. Revenue received from the state from licenses and the sales of cannabis from licensed businesses will be used to support education, drug treatment and community reinvestment. For these reasons, in order to sell most cannabis products, you must be a licensed retailer and abide by the rules and regulations set forth by the State of New York. Failure to do so jeopardizes the health and well-being of New York City residents and undermines businesses that have legitimately obtained licenses through the state's regulatory process.

This letter is not a formal notice of eviction proceedings, and the legal sale of products otherwise authorized by the City and State of New York will not result in any legal action by the Manhattan District Attorney's Office. However, to protect the health and well-being of New York City residents, the Manhattan District Attorney's Office will use both our civil and criminal enforcement authority, in close collaboration with the New York City Mayor's Office, Sheriff's Office, the NYPD and our other law enforcement partners, against those circumventing New York State's recently enacted cannabis law.

Sincerely,

A handwritten signature in blue ink that reads "Alvin L. Bragg, Jr." with a stylized flourish at the end.

Alvin L. Bragg, Jr.  
District Attorney