

Instructions on Terminating a Notice of Exemption

Below provides step-by-step instructional information for terminating your exempt status. After you filed a new exemption, there might be a point in time that you no longer qualify for any exemption because your circumstances have changed. If that is the case, then you will need to terminate your previously filed exemption. This termination option should only be used when you no longer qualify for any¹ exemptions, and this action will take precedence over previously filed exemptions. The Department will note that, under Section 500.19(g), if a Covered Entity, as of its most recent fiscal year end, ceases to qualify for an exemption, “such Covered Entity shall have 180 days from such fiscal year end to comply with all applicable requirements of” 23 NYCRR Part 500. To be clear, once you terminate an exemption you are stating you no longer qualify for any exemptions. Under the regulation, you will have 180 days to come into full compliance with the entire regulation since you no longer qualify for the exemption you previously filed.

As a reference, below includes the various exemptions you are terminating.

- 500.19(a)(1) – You are entitled to this exemption when a Covered Entity has fewer than 10 employees, including independent contractors. This is a limited exemption and you must still design and implement a cybersecurity program that meets some but not all the regulatory requirements.
- 500.19(a)(2) – You are entitled to this exemption when a Covered Entity has less than \$5,000,000 in gross annual revenue in each of the last 3 fiscal years from NY business. This is a limited exemption and you must still design and implement a cybersecurity program that meets some but not all the regulatory requirements.
- 500.19(a)(3) – You are entitled to this exemption when a Covered Entity has less than \$10,000,000 in year-end total assets. This is a limited exemption and you must still design and implement a cybersecurity program that meets some but not all the regulatory requirements.
- 500.19(b) – You are entitled to this exemption when you are an employee, agent, representative or designee of another Covered Entity and you are following that entity’s cybersecurity program. Under this exemption persons do not need to create their own program, but will be required to identify the Covered Entity’s whose program you are filing to claim this exemption.
- 500.19(c) – You are entitled to this exemption when a Covered Entity does not operate, maintain, utilize or control any IT systems and does not, and is not required to control, own, access, generate, receive or possess Nonpublic

¹ *If you still qualify for an exemption(s) but need to change your current exemption status, you would opt to amend your current exemption, not terminate. To amend an exemption, please see DFS’ Notice of Exemption Amendment Instructions found on the DFS website.*

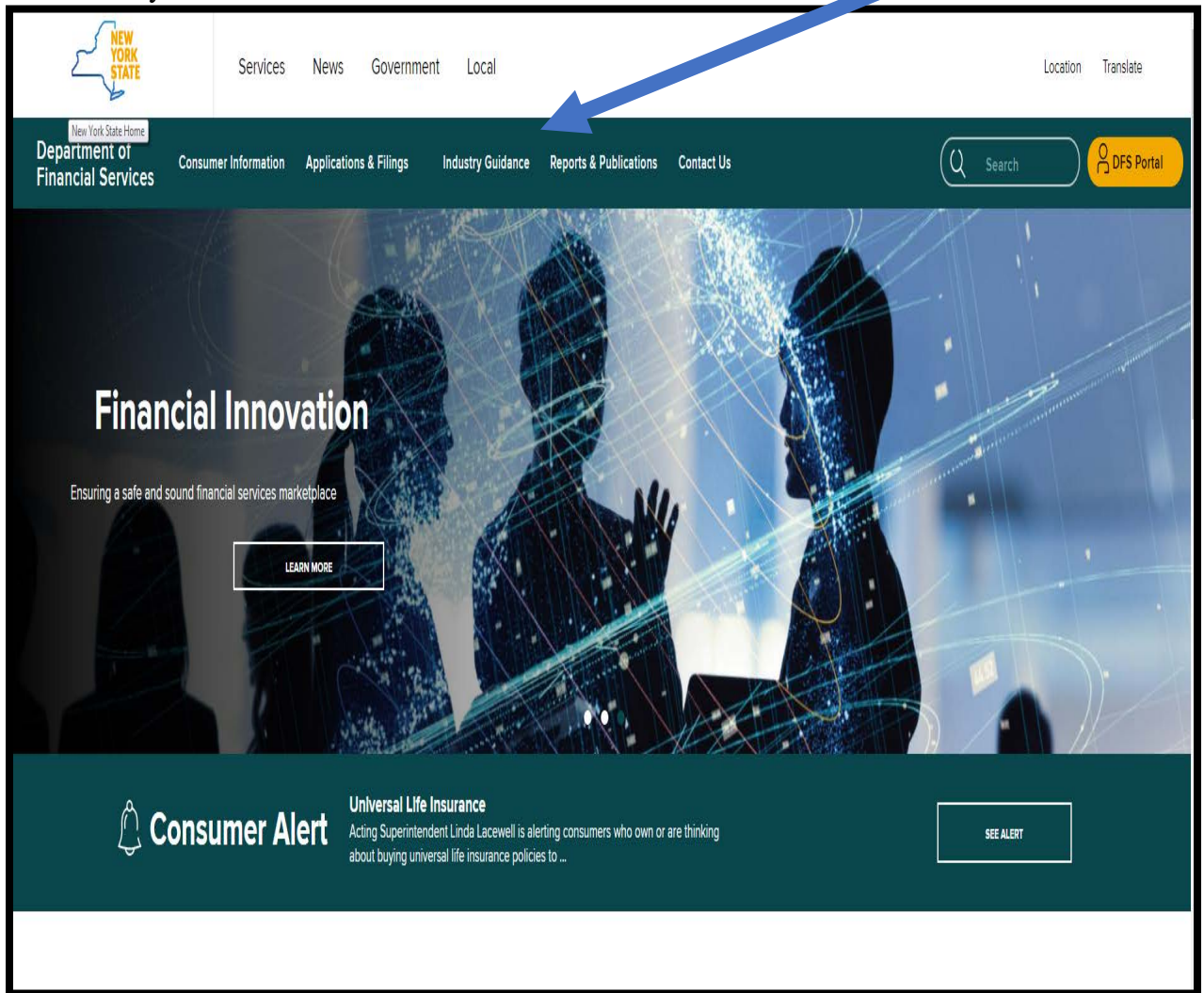
Information. This is a limited exemption and you must still design and implement a cybersecurity program that meets some but not all the regulatory requirements.

- 500.19(d) – You are entitled to this exemption if you are a Covered Entity that is a captive insurance company that does not, and is not required to control, own, access, generate, receive or possess Nonpublic information.

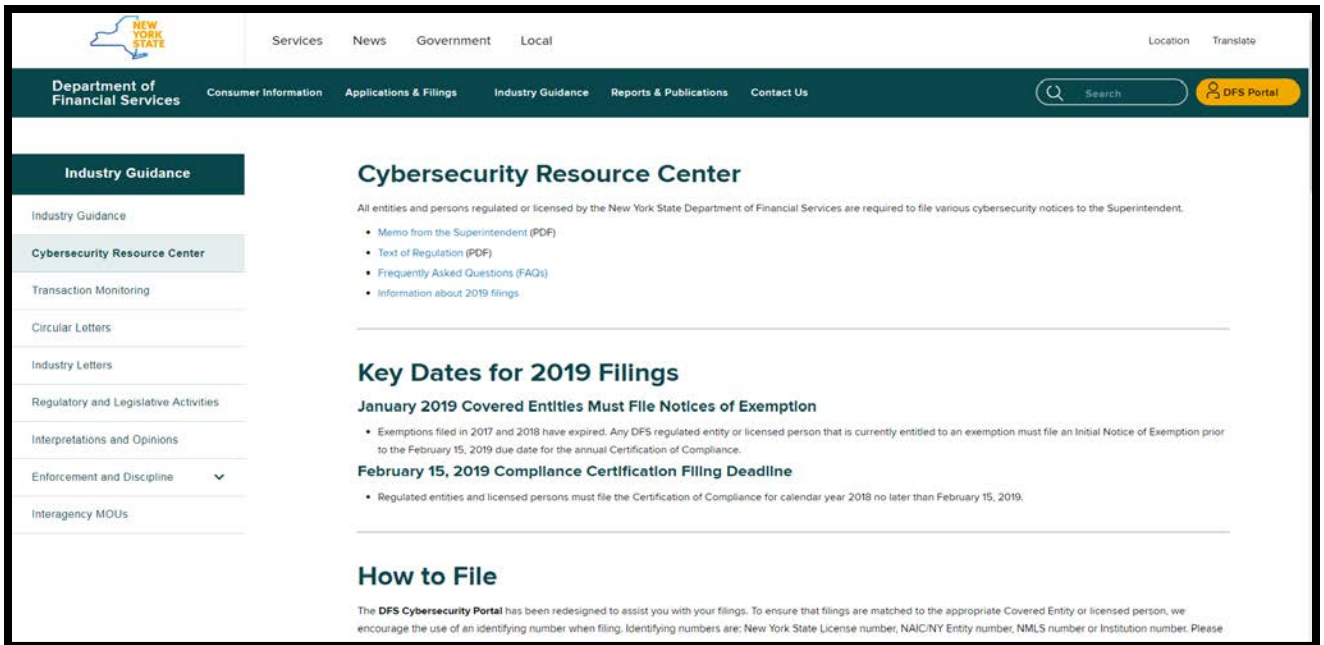
The following information will be necessary for your termination of an exemption filing and DFS suggests locating it prior to commencing your termination of an exemption filing:

- The license number for the companies or individuals for whom you are terminating an exemption filing. Companies and individuals may have different types of license numbers, the DFS portal has been built to support usage of: NYS License #, NAIC/NY Entity #, NMLS #, Institution #. If you do not know your number, a look up feature is included in the portal or on the DFS Website under “Who we Supervise.”

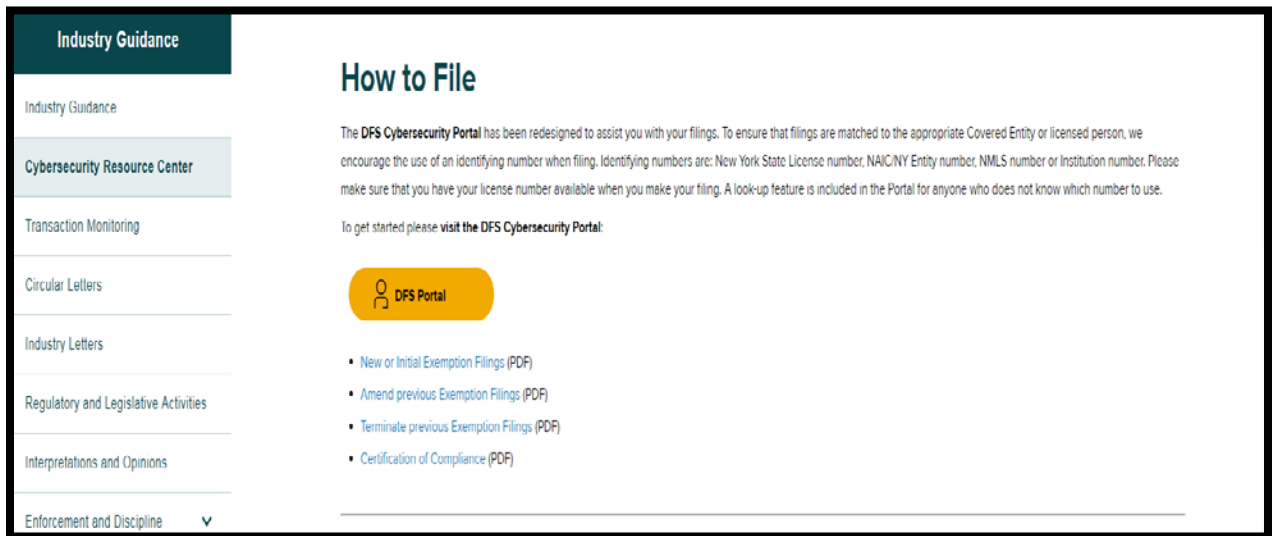
1. First, from the Department of Financial Services webpage (www.dfs.ny.gov), please click on the “Industry Guidance” column.



2. Once in Industry Guidance, click on “Cybersecurity Resource Center” which opens to below:



- Once selected, go to the middle of the page under “Instructions on How to File” you can click on it to access the DFS Cybersecurity Portal. Please note, filing instruction links can be found under “How to File”.



- Enter your DFS portal account information and select “Sign In.” If you previously made any cybersecurity filing with DFS the account information you have previously used remains the same and you should not create a new portal account. All prior filings are associated with your existing account and you should use the same account.

If you have never created a DFS portal account, you will need to create a new account by selecting “Create Account”. Please refer to the details in the next step for creating a new account.

The screenshot shows the top navigation bar with the New York State logo and links for Services, News, Government, and Local. Below this is the Department of Financial Services logo and the Secure Portal icon. A dark bar contains the text "My Apps". The main content area is titled "Sign In" and includes a "Return to Full Page" link. There are two input fields: "Email Address" with the value "test@email.com" and "Password" with masked characters. A "Remember Me" checkbox is present. A blue "Sign In" button is located below the password field. At the bottom of the form, there are links for "Create Account" and "Forgot Password".

5. Skip to Step 5 if you already have an account. After clicking “Create Account”, you will be prompted to enter information required to create a DFS portal account. The “Text Verification” on the right side of the screen will be unique with each attempt to create an account. Select “Save” to create your DFS portal account.

The screenshot shows the "Create Account" page. It features a "Return to Full Page" link. The form includes several required fields: "First Name (Required)", "Middle Name", "Last Name (Required)", and "Email Address (Required)". Each of these fields has a red border and the text "This field is required." next to it. A blue arrow points from the "First Name" field to a "Text Verification (Required)" box on the right. This box contains the number "7053" and a refresh icon. Below the text verification box is another red-bordered input field with the text "This field is required." A blue "Save" button is located at the bottom left of the form.

After selecting “Save”, a confirmation message as shown below will be displayed. Use the password emailed to the email address you entered in the prior screen to sign in.

The screenshot shows the 'Sign In' page of the Department of Financial Services. At the top, there is a navigation bar with 'Services', 'News', 'Government', and 'Local'. Below this is the 'Department of Financial Services' logo and the 'SECURE PORTAL' logo. A 'My Apps' bar is visible. The main content area is titled 'Sign In' and includes a confirmation message: 'Thank you for creating an account. Your password has been sent'. Below this, there are input fields for 'Email Address' and 'Password'. The 'Email Address' field has a red error message: 'This field is required.' There is a 'Remember Me' checkbox and a 'Sign In' button. At the bottom, there are links for 'Create Account' and 'Forgot Password'.

6. Upon logging in, you will find the landing page shown below.

The screenshot shows the 'NYS DFS CyberSecurity 23 NYCRR 500 Regulation' landing page. At the top, there is a navigation bar with 'My Apps' and 'Cybersecurity'. Below this is the 'Department of Financial Services' logo and the 'SECURE PORTAL' logo. The main content area is titled 'NYS DFS CyberSecurity 23 NYCRR 500 Regulation'. It features three main sections: 'Exemption', 'Compliance', and 'Event'. The 'Exemption' section includes a 'Begin' button and a 'Begin Bulk Exemption' button. The 'Compliance' section includes a 'Begin' button. The 'Event' section includes a 'Begin New' button.

7. To start your termination of a Notice of Exemption, please select “Begin” under the Notice of Exemption banner.

Exemption

Perform actions related to your entity's NYS DFS cybersecurity regulation exemption status.

- File new Notice of Exemption
- Amend previously filed Notice of Exemption
- Terminate previously filed Notice of Exemption

Begin

Begin Bulk Exemption

Identify the Filing Entity – Steps 9-13

8. After clicking Begin, you will need to select the license number that you will be using to identify the regulated company or licensed person for whom you are filing. Please select your NY State License Number, NAIC/NY Entity Number, NMLS Number, Institution Number.

Submit Notice of Exemption

← Back to Main Menu

Find My Entity | Find My Entity (Cont) | Exemption Status | Contact Info | Done

Choose how you will be identifying your entity:

NYS License Number
· Adjusters · Ball Bond Agents · Brokers · Budget Planners · Check Cashers · Licensed Agents · Licensed Lenders · Life Settlement Brokers · Money Transmitters · Premium Finance Agencies · Sales Finance Companies · Service Contract Providers · Trust Companies · Virtual Currency

NAIC/NY Entity Number
· Continuing Care Retirement Community · Employee Welfare Funds and Retirement Systems · Fraternal Benefit Societies · Health Maintenance Organizations · Managed Long Term Care Plans · Municipal Cooperative Health Benefit Plan · NYS Licensed Insurance Companies · Prepaid Health Services Plan · Rate Service Organizations · Student Health Plan

NMLS
· Budget Planners · Check Cashers · Licensed Lenders · Money Transmitters · Mortgage Institutions/Loan Originators · Premium Finance Agencies · Sales Finance Companies · Virtual Currency licensees

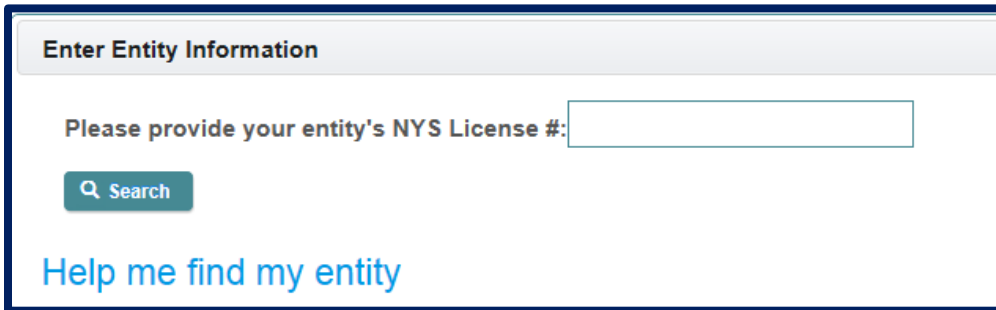
Institution Number
· All Banking Institutions · Consumer Credit Reporting Agencies · Trust Companies

[Help me find my entity](#)

Next >


Please note, to facilitate ease of use, DFS allowed the use of different types of license numbers to enable users to identify themselves by various means. The portal includes recommendations for each type of license number. However, most regulated entities and licensed persons have more than one type of license number and the system will accept the filing using any of these types provide you identify the type of number being used, for example, if your company has both an NMLS number and a NYS License number, you can use either to identify yourself in the portal. If you do not know your entity’s number, then please select “Help me find my entity” (*Skip to Step 12 for further instructions*).

9. If you already know your license number, then you will land on the page below.



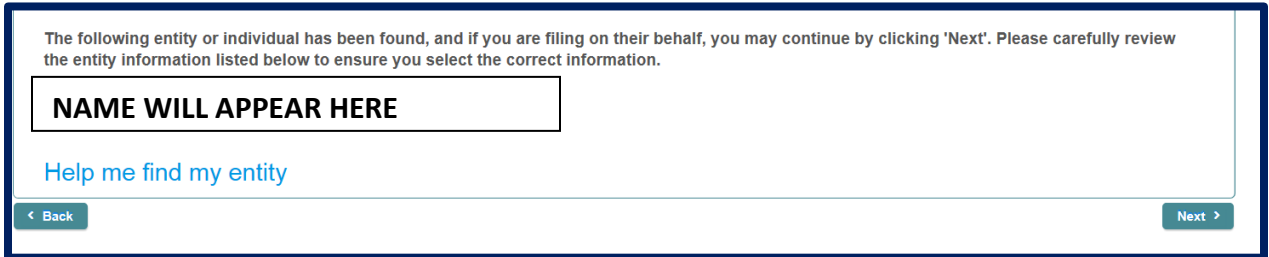
Enter Entity Information

Please provide your entity's NYS License #:

 Search

[Help me find my entity](#)

10. Please enter your number and click “Search”. A message that an entity or individual has been found and the name of the individual or entity will appear in the box; please verify that the information is accurate. If accurate, click next at the bottom right of the screen and skip to step 14.



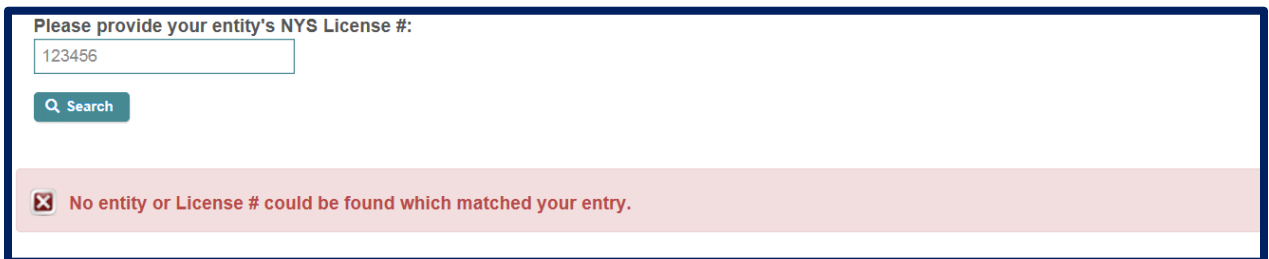
The following entity or individual has been found, and if you are filing on their behalf, you may continue by clicking 'Next'. Please carefully review the entity information listed below to ensure you select the correct information.

NAME WILL APPEAR HERE


[Help me find my entity](#)


[< Back](#) [Next >](#)

11. If your identifying number is incorrect you will receive the following error message.

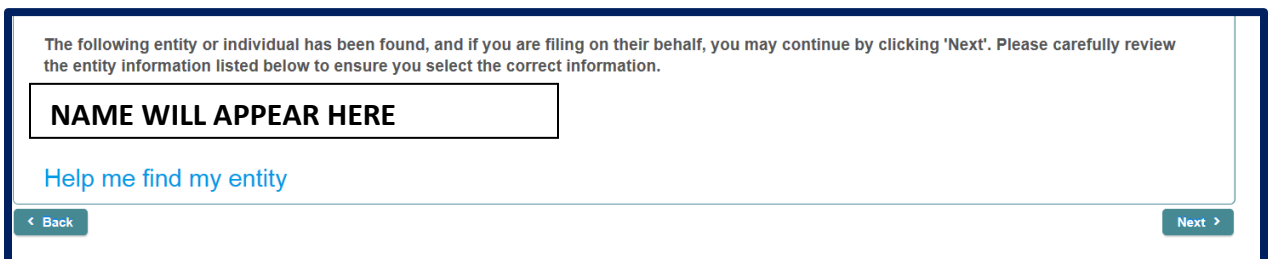


Please provide your entity's NYS License #:

 Search

 No entity or License # could be found which matched your entry.

12. If you receive an error, please check your number was entered correctly and search again, if possible. If you do not know your number, please select “Help me find my entity” located at the bottom left of the page in blue font.



The following entity or individual has been found, and if you are filing on their behalf, you may continue by clicking 'Next'. Please carefully review the entity information listed below to ensure you select the correct information.

NAME WILL APPEAR HERE

[Help me find my entity](#)

[< Back](#) [Next >](#)

13. Once you select “Help me find my entity” you will see this screen, and you will be able to enter information (your entity name or individual name- including both first name and last name) which will prompt a search for your license number.

File By Name

Entity name:

OR (If Individual)

First Name:

Last Name:

[Still can't find your entity? Click here](#)

Note, when searching as an individual, if you do not enter the first and last name you will receive this error message:

File By Name

Entity name:

OR (If Individual)

First Name:

Last Name:

You must enter either an entity name, or first and last name.

Once you enter your entity information in the Entity name box, then click “Search”, results will appear in blue, which specify the entity name(s) and license number(s) (see

example below). Please select the name that matches you or your entity. The name you selected will display in the upper right corner of the screen.

File By Name

Entity name: All or part of the name

OR (If Individual)

First Name:

Last Name:

Please carefully review the search results before making a selection

Fake Company Name NYS License #: #####	Fake Company Name NYS License #: #####	Fake Company Name NYS License #: #####
Fake Company Name NYS License #: #####	Fake Company Name NYS License #: #####	

Showing 5 results

[Still can't find your entity? Click here](#)

14. If are still unable to find your entity, please click on “Still can’t find your entity?”. By clicking and moving to this page, you will be able to manually enter more detailed information to make your filing. While filing by name is possible, it will not result in your filing being automatically associated with your license record. We may contact you for further information to confirm your license. You may also get notice of delinquency and missing filings until your Notice of Exemption has been associated with your record.

File By Name

Filing by name will require you to provide the additional information below:

Entity or First Name: *	<input type="text"/>
Last Name (required for individuals):	<input type="text"/>
Employed by (required for individuals):	<input type="text"/>
Social Security or Tax ID Number: *	<input type="text"/>
Home Address (required for individuals):	<input type="text"/>
Work or Office Address: *	<input type="text"/>
DOB (required for individuals):	<input type="text"/>
Type of license or field of business: *	<input type="text"/>
Phone Number: *	<input type="text"/>

[Back](#)

[Submit](#)

15. Select “I would like to remove a previously filed exemption”. Only select this option if you no longer qualify for any exemptions. This will serve as a notice to the Department that you no qualify for any exemptions, and this action will supersede previous filings. Under the

regulation, you will have 180 days to come into full compliance with the entire regulation since you no longer qualify for the limited exemption. You will get the message at the bottom of the screen when you select remove (terminate) a previously filed exemption. Select “Next”.

Indicate what you are filing

Please choose from the following:

This is the first exemption filed for this entity or individual

I wish to amend a previously filed exemption

I would like to remove a previously filed exemption

By completing this submission, you are stating that the entity or licensed person for which you are filing is no longer exempt from the DFS Cybersecurity regulation. The covered entity or licensed person is required to comply with all requirements of the regulation within 180 days from the most recent fiscal year end during which they no longer qualified for the exemption.

16. In the Contact Information tab, please fill out the required information. You will also need to select the box that swears or affirms that the information you provided throughout this process is accurate. After you fill out the information, click “Submit”.

Find My Entity Find My Entity (Cont) Exemption Status **Contact Info** Done

Enter Contact Information

Name of Person filing the exemption: *

Title of the Person filing the exemption: *

Phone Number of the Person filing the exemption: *

Email Address of the Person filing the exemption: *

I swear or affirm that I am authorized to submit the Notice of Exemption on behalf of licensed person, and that the information in the Notice of Exemption is accurate.* or

[< Back](#) [Submit](#)

17. After entering your contact information, please click “Submit”. On the Done tab, you will find your receipt number that will start with the letter E. Please keep this number for your records as you may need to refer to this if any questions arise. You will also receive an email acknowledgement containing similar information from this screen including your receipt number.

Please find your receipt number below.
Receipt Number: E-2018-00000

18. Once these steps are completed you have officially terminated a Notice of Exemption. Under the regulation, you will have 180 days to come into full compliance with the entire regulation since you no longer qualify for the exemption.