

STATE OF NEW YORK

11490

IN ASSEMBLY

May 28, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Rosenthal)
-- read once and referred to the Committee on Housing

AN ACT to amend the real property law, in relation to prohibiting dynamic pricing, algorithm or automated pricing tools in the sale or rental of any residential dwelling unit; and in relation to prohibiting the use of online real estate auction platforms for rental units where the owner has a direct or indirect ownership interest in such platform

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The real property law is amended by adding two new sections
2 442-m and 442-n to read as follows:

3 § 442-m. Dynamic pricing, algorithm or automated pricing tool prohibited. 1. As used in this section, the terms:

4 (a) "Algorithm" means a computational process or system that applies
5 one or more sets of rules, including rules generated by a natural person
6 or by a computational process or system, to generate outputs based on
7 inputs and/or to define a sequence of operations.

8 (b) "Dynamic pricing" means any automated or algorithmic adjustment of
9 the asking price, rental price, or listing price of a residential dwell-
10 ing unit that fluctuates based completely or in part on one or more
11 algorithms, including but not limited to adjustments triggered by real-
12 time occupancy rates, vacancy rates, competitor pricing data, demand
13 indicators, time-on-market data, or the personal data of any prospective
14 tenant or buyer, excluding price adjustments based solely on bona fide
15 discounts offered uniformly to all prospective tenants or buyers on
16 identical terms.

17 (c) "Shill bidding" means the submission, or causing or facilitating
18 the submission, of a bid on a residential dwelling unit listed on an
19 online real estate auction platform by any person who has no genuine
20 intention of purchasing or renting such unit, or who is acting in
21 concert with, or at the direction of, the owner, landlord, listing
22 broker, or any officer, director, employee, or relative of such owner or
23 landlord, for the purpose of artificially inflating the bid price of
24 such unit, discouraging, misleading, or deterring legitimate competing
25

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 bidders, or creating a false appearance of demand or competitive inter-
2 est in such unit.

3 (d) "Online real estate auction platform" means any website, software
4 application, or digital service that conducts, hosts, lists, or facili-
5 tates the auction-based sale or rental of one or more residential dwell-
6 ing units in the state of New York.

7 2. No landlord, real estate broker, real estate salesperson, or real
8 estate platform shall use, employ, offer, contract with any dynamic
9 pricing system, algorithm, or automated pricing tool in connection with
10 the listing, advertisement, sale, or rental of any residential dwelling
11 unit in the state of New York.

12 3. Any landlord, real estate broker, real estate salesperson, or real
13 estate platform that engages in live auctions shall post a clearly visi-
14 ble plain language disclaimer alerting the bidder that shill bidding is
15 illegal under New York state law.

16 § 442-n. Online real estate auction. 1. No owner of a residential
17 dwelling unit, nor any entity in which such owner holds a direct or
18 indirect ownership interest in an online real estate auction platform,
19 shall list, auction, advertise, or otherwise offer a rental unit through
20 such online real estate auction platform. Such owner or entities shall
21 be prohibited from offering a rental unit through an online real estate
22 auction platform where a family member holds a direct or indirect owner-
23 ship interest in such online real estate auction platform.

24 2. For purposes of this section "family member" means a spouse, domes-
25 tic partner, in-law, child, sibling, parent, grandparent, or grandchild.
26 This includes stepparents, stepchildren, stepsiblings and adoptive
27 relationships.

28 § 2. This act shall take effect on the thirtieth day after it shall
29 have become a law.