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:

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

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

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

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

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

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

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bidders, or creating a false appearance of demand or competitive interest in such unit.

(d) "Online real estate auction platform" means any website, software application, or digital service that conducts, hosts, lists, or facilitates the auction-based sale or rental of one or more residential dwelling units in the state of New York.

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

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

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

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

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