

STATE OF NEW YORK

7882

2025-2026 Regular Sessions

IN SENATE

May 13, 2025

Introduced by Sen. HOYLMAN-SIGAL -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the general business law, in relation to the use of algorithmic pricing by a landlord for the purpose of determining the amount of rent to charge a residential tenant

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

1 Section 1. The general business law is amended by adding a new section
2 340-b to read as follows:

3 § 340-b. Agreements to not compete with respect to residential rental
4 dwelling units. 1. As used in this section, the following terms shall
5 have the following meanings:

6 (a) "Algorithm" means a computational process that uses a set of rules
7 to define a sequence of operations.

8 (b) "Algorithmic device" means any machine, device, computer program
9 or computer software that on its own or with human assistance performs a
10 coordinating function.

11 (c) "Coordinating function" means performing all of the following
12 subfunctions, provided, however, that a product used for the purpose of
13 establishing rent or income limits in accordance with the emergency
14 tenant protection act of nineteen seventy-four, as amended, the rent
15 stabilization law of nineteen sixty-nine, as amended, the city rent and
16 rehabilitation law, the emergency housing rent control law, or an
17 affordable housing program administered by a federal, state, or local
18 government or other political subdivision shall not be considered to be
19 performing a coordinating function:

20 (i) collecting historical or contemporaneous prices, supply levels, or
21 lease or rental contract termination and renewal dates of residential
22 dwelling units from two or more residential rental property owners or
23 managers, provided that at least two such residential rental property
24 owners or managers are not wholly-owned subsidiaries of the same parent

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

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1 entity or otherwise owned or managed by the same residential rental
2 property owner or manager;

3 (ii) analyzing or processing the information described in subparagraph
4 (i) of this paragraph using a system, software, or process that uses
5 computation, including by using that information to train an algorithm;
6 and

7 (iii) recommending rental prices, lease renewal terms, ideal occupancy
8 levels, or other lease terms and conditions to a residential rental
9 property owner or manager.

10 (d) "Residential rental property owner or manager" means any individ-
11 ual or entity that owns or is a beneficial owner of, directly or indi-
12 rectly, in whole or in part, or manages one or more residential rental
13 dwelling units in New York state.

14 2. It shall be an unlawful violation of this article for a person or
15 entity to knowingly or with reckless disregard facilitate an agreement
16 between or among two or more residential rental property owners or
17 managers to not compete with respect to residential rental dwelling
18 units, including by operating or licensing a software, data analytics
19 service, or algorithmic device that performs a coordinating function on
20 behalf of or between and among such residential rental property owners
21 or managers.

22 3. It shall be considered an unlawful agreement in violation of this
23 article for a residential rental property owner or manager to knowingly
24 or with reckless disregard set or adjust rental prices, lease renewal
25 terms, occupancy levels, or other lease terms and conditions in one or
26 more of their residential rental properties based on recommendations
27 from a software, data analytics service, or algorithmic device perform-
28 ing a coordinating function.

29 4. Nothing in this section shall impair or limit the applicability of
30 any other part of this article or any other state law.

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