



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1996

Introduced 2/6/2025, by Sen. Graciela Guzmán

SYNOPSIS AS INTRODUCED:

New Act
815 ILCS 505/2HHHH new

Creates the Preventing Algorithmic Rent Fixing in the Rental Housing Market Act. Provides that a real estate lessor, or any agent or subcontractor of a real estate lessor, shall not subscribe to, contract with, or otherwise exchange anything of value in return for the services of a real estate service provider. Provides that a real estate service provider shall not facilitate an agreement to not compete between real estate lessors with respect to residential dwelling units. Provides that a violation of the provisions of the Act is an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. Provides for a private right of action. Amends the Consumer Fraud and Deceptive Business Practices Act to make a conforming change.

LRB104 09435 SPS 19495 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Preventing Algorithmic Rent Fixing in the Rental Housing
6 Market Act.

7 Section 5. Definitions. In this Act:

8 "Coordinate" and "coordinating" mean, with respect to a
9 real estate service provider:

10 (1) collecting of historical or contemporaneous
11 prices, price changes, supply levels, occupancy rates, or
12 lease or rental contract termination and renewal dates of
13 residential dwelling units from 2 or more real estate
14 lessors or from public databases;

15 (2) analyzing or processing of the information
16 described in paragraph (1) using a system, software, or
17 process that uses computation; and

18 (3) recommending rental prices, lease terms, or
19 occupancy levels to a real estate lessor.

20 "Person" means any natural person, corporation,
21 partnership, limited liability company, firm, or association.

22 "Pre-dispute arbitration agreement" means an agreement to
23 arbitrate a dispute that has not yet arisen at the time of the

1 making of the agreement.

2 "Pre-dispute joint action waiver" means an agreement,
3 whether part of a pre-dispute arbitration agreement, that
4 would prohibit or waive the right of one of the parties to the
5 agreement to participate in a joint, class, or collective
6 action in a judicial, arbitral, administrative, or other forum
7 concerning a dispute that has not yet arisen at the time of the
8 making of the agreement.

9 "Real estate service provider" means any person who
10 performs a coordination function for any real estate lessor.

11 "Residential dwelling unit" means any house, apartment,
12 accessory dwelling unit, or other unit intended to be used as a
13 person's primary resident. "Residential dwelling unit" does
14 not include inpatient medical care, licensed long-term care,
15 and detention or correctional facilities.

16 "Real estate lessor" means any individual, corporation,
17 partnership, association, joint-stock company, trust, or
18 unincorporated organization that owns real property and leases
19 such property or any portion thereof in the form of a
20 residential dwelling unit.

21 Section 10. Unlawful conduct.

22 (a) A real estate lessor, or any agent or subcontractor of
23 a real estate lessor, shall not subscribe to, contract with,
24 or otherwise exchange anything of value in return for the
25 services of a real estate service provider.

1 (b) A real estate service provider shall not facilitate an
2 agreement to not compete between real estate lessors with
3 respect to residential dwelling units.

4 Section 15. Enforcement and damages. A violation of any
5 provision of this Act is an unlawful practice under the
6 Consumer Fraud and Deceptive Business Practices Act. All
7 remedies, penalties, and authority granted to the Attorney
8 General by that Act shall be available to him or her for the
9 enforcement of this Act.

10 Section 20. Private right of action.

11 (a) The Attorney General or a State's Attorney may bring a
12 civil action on behalf of any person in a court of competent
13 jurisdiction to secure relief as provided in this Section for
14 injury sustained by that person to the person's property that
15 results from a violation of this Act.

16 (b) Any person who is injured as a result of a violation of
17 this Act may bring a civil action in a court having
18 jurisdiction in the county where the defendant resides or is
19 found, or any agent of the defendant resides or is found,
20 without respect to the amount in controversy.

21 (c) A court may order compensatory, injunctive, and
22 declaratory relief, including treble damages, interest on
23 damages, attorney's costs and fees, and any further relief the
24 court deems appropriate.

1 (d) At the election of the person alleging conduct
2 constituting a violation of this Act or the named
3 representative of a class in a collective action alleging a
4 violation of this Act, no pre-dispute arbitration agreement or
5 pre-dispute joint-action waiver shall be valid or enforceable
6 with respect to a case that is filed under federal, tribal,
7 State, or Local law and that relates to a violation of this
8 Act.

9 Section 25. Severability. The provisions of this Act are
10 severable under Section 1.31 of the Statute on Statutes.

11 Section 90. The Consumer Fraud and Deceptive Business
12 Practices Act is amended by adding Section 2HHHH as follows:

13 (815 ILCS 505/2HHHH new)

14 Sec. 2HHHH. Violations of the Preventing Algorithmic Rent
15 Fixing in the Rental Housing Market Act. A person who violates
16 the Preventing Algorithmic Rent Fixing in the Rental Housing
17 Market Act commits an unlawful practice within the meaning of
18 this Act.