New York State Association of REALTORS®, Inc.

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MEMORANDUM IN OPPOSITION

S.8416 by Senator Leroy Comrie
Status: Senate Rules Committee

A.8427-A by Assemblymember Micah Lasher
Status: Assembly Codes Committee

Date: June 2025
Contact: Michael Kelly

Re: Opposition to the "Fostering Affordability and Integrity through Reasonable (FAIR) Business Practices Act"

The New York State Association of REALTORS®, Inc. (NYSAR) remains **opposed** to the adoption of the above referenced legislation due to its overly broad and subjective nature. The resulting lack of clarity provided in this bill places unreasonable risks upon NYSAR's more than 60,000 REALTOR® members operating thousands of small businesses across New York State.

While NYSAR supports consumer protections, we continue to have concerns with this proposal as amended. Of significant concern is the removal of the consumer-oriented standard to bring an action against a business. Additionally, the definition of an abusive act or practice remains problematic due to its vague and subjective nature. Ultimately, the authority granted under this legislation remains far too expansive without counterbalance.

While it is a laudable goal to try to mitigate deceptive acts and practices from bad actors, this bill's attempt to "eliminate atextual exceptions" remains an extreme divergence from judicial standards.

The New York State Association of REALTORS®, Inc. **urges disapproval of S.8416-Comrie/A.8427-Lasher.**

The New York State Association of REALTORS® is a not-for-profit trade organization representing more than 61,000 of New York State's real estate professionals. The term REALTOR® is a registered trademark, which identifies real estate professionals who subscribe to a strict code of ethics as members of the National Association of REALTORS®. These REALTORS® are also members of the New York State Association of REALTORS® as well as their local board or association of REALTORS®.

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