NAR Issue Summaries

Technologies / MLS Advocacy

NAR Committee:

Federal Technology Policy Committee

What is the fundamental issue?

Congress and the Administration must support Multiple Listing Services (MLSs), which promote transparent, efficient, and competitive real estate markets.

I am a real estate professional. What does this mean for my business?

To help consumers sell homes, real estate professionals submit property listings to an MLS, which compiles, reviews, and shares a database that delivers complete, accurate, and timely information to home buyers and supports a transparent, efficient, and competitive marketplace.

MLSs expand seller exposure, reduce buyer search costs, and provide equitable access to reliable property data. By enabling broad sharing of listing data across brokerages, websites, and portals, MLSs help match home buyers and sellers efficiently. This shared dataset allows brokerages of all sizes and vintages to compete on a level playing field.

A future without the MLS would mean that the real estate market will likely be controlled by the largest brokers, portals, or technology companies, which will limit competition and choices for consumers. There would be no centralized source for verified, accurate, and reliable property data. The result would be a fragmented and inefficient market where home sellers and buyers are forced to work with multiple brokers to access property and market information.

NAR Policy:

NAR supports a broad range of federal public policies that are relevant to the MLS, including:

- **Artificial Intelligence:** Supports a uniform federal framework for AI that promotes responsible use, including protections for copyright, fair housing, and consumer data.
- **Copyright:** Supports strong copyright protections for MLS compilations, photos, and other listing content as intellectual property.
- **Cybersecurity:** Supports cybersecurity legislation and regulation that protect real estate systems and data, deter cybercrime, and promote a secure digital environment.
- **Data Privacy:** Supports comprehensive federal data privacy legislation establishing a uniform national standard with strong consumer protections for the collection, use, and sharing of personal data.
- **Transaction Modernization:** Supports open, competitive, interoperable, and technology-neutral real estate transaction systems that enhance efficiency, security, and consumer choice.

Legislative/Regulatory Status/Outlook

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Congress and the Administration are advancing several proposals that could impact MLSs:

- **National Data Privacy Standards (H.R. 8413 – SECURE Data Act):** Establishes a single national data privacy standard that gives consumers rights over their personal data, with enforcement by the Federal Trade Commission and state attorneys general. On October 1, 2026, NAR sent a letter urging the House Energy and Commerce Committee to advance the bill. NAR supports the bill because it extends meaningful consumer protections nationwide and replaces the current patchwork of state laws without imposing duplicative or unnecessary burdens on small businesses. NAR also worked to ensure the bill includes thresholds and exemptions that keep MLSs from being treated like data brokers and reflect that real estate transactions are already heavily regulated under state and federal law. As the bill moves forward, NAR will continue educating members of Congress and working to preserve the sharing of property information essential to real estate transactions.
- **Artificial Intelligence (Executive Order 14365 and S. 2455 / H.R. 7209 – TRAIN Act):** The Administration is advancing a national AI framework to replace the patchwork of state laws with uniform federal standards, with certain exceptions, including copyright. Congress is also considering AI legislation, including the TRAIN Act, which would let copyright owners find out whether their works were used to train AI models. Real estate professionals and their businesses, including MLSs, rely on commercially available AI tools to serve consumers. NAR supports a light-touch federal framework that keeps existing consumer protection and fair housing laws in place, requires transparency from AI developers, and does not create a new private right of action. NAR has also urged that liability rest with the developers who build and control AI systems, including for copyrighted or improperly sourced training data, rather than with the businesses that use them.
- **Copyright Office Registration Fees (91 Fed. Reg. 13,529 (Mar. 20, 2026)):** The Copyright Office has submitted a fee schedule to Congress that would raise fees for registering MLS data, and Congress has until November 12, 2026, to act. NAR opposes the increase and, as part of the Copyright Alliance, has urged the Office instead to modernize the registration system, including expanding electronic filing, which would encourage broader MLS registration and reduce processing costs. NAR has met with the Office and sent multiple letters opposing the increase and is now working with members of Congress to oppose it. In September, eight bipartisan members of the Congressional Real Estate Caucus sent a letter urging the Office to reconsider or delay the increase.
- **DOJ/FTC Business Collaborations Guidance (Docket No. ATR-2026-0001):** Requests public input on updated guidance for "collaborations among competitors." MLSs are among the most important examples of procompetitive collaboration in the real estate market. In coordination with the Council of Multiple Listing Services, NAR submitted comments emphasizing that DOJ and FTC have long recognized MLSs as procompetitive infrastructure and encouraging the agencies to reaffirm that sharing historical, factual property data supports competitive markets.

Current Legislation/Regulation (bill number or regulation)

- HR 8413 - SECURE Data Act
- Executive Order 14365 (December 11, 2025): Ensuring a National Policy Framework for Artificial Intelligence
- S. 2455 / H.R. 7209 - TRAIN Act
- Copyright Office Fees, 91 Fed. Reg. 13,529 (Mar. 20, 2026)

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- DOJ/FTC Business Collaborations Guidance (Docket No. ATR-2026-0001)

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