MX Maintenance Summit **2026**

// BREAKOUT SESSION

Staying Ahead of Property Management Regulations

Building a system that finds the change before the change finds you.

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Not changing faster. Changing in more places.

10+	4	30+	1
States restricting or requiring disclosure of rental fees	States restricting algorithmic rent pricing software	Fee-related measures adopted nationwide since 2025	Active FTC rulemaking on rental housing fee practices

WHAT THIS ACTUALLY MEANS FOR AN OPERATOR

- The federal government is no longer the main source of your exposure. States, cities, and private plaintiffs are.
- A single portfolio can sit under three or four overlapping rulebooks at the same time.
- Annual continuing education was built for a world where the rules moved once a year. That world is gone.

// WHERE WE ARE GOING

Five parts, then your questions

1

What actually changed

A fast tour of the 2026 landscape, so we are working from the same map

2

The pattern behind the noise

Four structural shifts that will outlive any single statute

3

Build the monitoring system

Sources, cadence, ownership, and where AI genuinely helps

4

Turn a statute into operations

The chain from law to lease to software config to training

5

Reduce the risk you already carry

Written criteria, vendor diligence, and the owner conversation

01

What Actually Changed

A working map of the 2026 landscape

// PART 1 OF 5

Fee transparency became the dominant theme

WHAT THE LAWS GENERALLY REQUIRE

- Advertise a total price that includes every mandatory charge, displayed at least as prominently as base rent
- Disclose all non-optional fees before the applicant pays anything
- In some states, list every non-optional fee on the first page of the lease, or it is unenforceable
- Prohibit specific charges outright, such as payment processing fees where no free option exists
- Cap or eliminate markups on pass-through third party costs

REPRESENTATIVE EXAMPLES

- Colorado HB25-1090: total price in ads, tenant demand rights with treble damages exposure
- Illinois: non-optional fees on page one, $50 application fee cap unless actual cost is higher
- Massachusetts 940 CMR 38.00: total price in advertising, broker fee paid by whoever hired the broker

THE FEDERAL OVERLAY

The FTC opened an advance notice of proposed rulemaking on rental housing fee practices in March 2026 and took public comment through April. The likely direction is a total price standard at the federal level, with obligations reaching listing platforms and property management software vendors, not just operators.

Practical test: pull three of your live listings right now and add up everything a resident cannot avoid paying. Does that number appear anywhere?

Screening moved from a profit center to an at-cost activity

APPLICATION FEE CAPS

- New York: actual cost or $20, whichever is less
- Illinois: $50 unless documented third party cost is higher, with receipt delivery deadlines
- Maryland: $25 for landlords with five or more units, excess refundable
- California: an inflation-indexed cap now in the mid-$60s

PORTABLE SCREENING REPORTS

- Mandatory acceptance states: you must take a qualifying report and charge nothing
- Fee-waiver states: you may run your own screen, but you cannot charge for it
- Disclosure states: acceptance is optional, but your policy must be posted
- Validity windows are typically 30 days

WHAT SURVIVES ALL OF IT

- FCRA obligations do not change: permissible purpose, authorization, adverse action notice
- Written, objective screening criteria applied identically to every applicant
- A documented decision trail for every denial
- Criteria published before the applicant pays

When you cannot profit on the application, your written criteria become the asset. That is what protects you in a fair housing complaint anyway.

// 01 / WHAT CHANGED

Algorithmic rent pricing went from a tool to a legal category

AUG 2024

DOJ sues RealPage over pooled nonpublic lease data

LATE 2024

San Francisco and Philadelphia pass the first city bans

OCT 2025

New York and California act within days of each other

NOV 2025

DOJ settlement: no fines, but hard limits on data inputs

JUL 2026

New Jersey becomes the fourth state, effective 2027

THE LINE REGULATORS ARE DRAWING

The target is not automation. It is competitors feeding nonpublic, forward-looking data into a shared model that hands back coordinated prices. Public comp tools that work from listing data sit on the other side of that line.

WHAT SINGLE FAMILY OPERATORS SHOULD DO

- Ask every pricing vendor in writing what data trains the model and whether it includes competitor nonpublic data
- Document that your final rent decision is made independently
- Watch the pending First Amendment challenge, which could reshape all of these laws at once

Fair housing guidance was withdrawn, then partly rewritten

SEPT 2025

HUD withdraws long-standing guidance on assistance animals, criminal records, and screening

NOV 2025

HUD rescinds three more documents shaping criminal history screening

JAN 2026

HUD proposes removing its own disparate impact regulation at 24 CFR 100.500

MAY 2026

New HUD enforcement guidance narrows federal assistance animal cases to trained service animals

THE TRAP

Withdrawn guidance is not a repealed statute. The Fair Housing Act is unchanged, disparate impact liability rests on Supreme Court precedent, and private plaintiffs do not need HUD to bring a case. Several states independently protect emotional support animals regardless of what HUD will now investigate.

The operating rule: when guidance disappears, the statute and case law become your floor. Loosening your process because an agency stopped publishing interpretation is the most expensive mistake available in this section.

Your AI tools are now a regulated category of their own

1 You cannot delegate liability

Using a vendor tool for screening, pricing, or advertising does not move the legal exposure to the vendor. In the eyes of the law the tool is your agent.

2 State AI statutes reach housing

Colorado's AI Act classifies housing as a consequential decision area, with impact assessments, disclosure, and human appeal obligations for deployers. Implementation and litigation are ongoing.

3 Black boxes are the exposure

If your tool cannot explain why an applicant was declined, you cannot produce a defense, run a disparate impact review, or answer an investigator.

4 Leasing bots are advertising

Anything an AI says to a prospect about a property, a neighborhood, or who would be happy there is subject to the same fair housing rules as your ads.

Minimum standard: every automated decision that touches an applicant or resident needs a named human owner, an audit trail, and a documented review path.

02

The Pattern Behind the Noise

Four shifts that will outlive any single statute

// PART 2 OF 5

Four structural shifts worth organizing around

Authority moved down

Federal, then state, then city, then in some places the county. The most operationally disruptive rule you face this year is likely to come from a body you have never testified in front of.

Disclosure replaced permission

Legislatures largely are not banning revenue. They are forcing it into the open at the top of the funnel. Fees you can defend in daylight survive. Fees that depend on obscurity do not.

Software became the compliance surface

Listings, syndication feeds, ledgers, autopay, screening logic. Increasingly the law binds a configuration, not a behavior, and your vendor controls the configuration.

Enforcement privatized

Fair housing organizations, class action firms, and tenant advocacy groups now test and sue at scale. Agency retreat does not reduce the number of people looking at you.

Federal deregulation is not risk reduction

READ THAT CAREFULLY

- The organization most likely to test your leasing process is not a government agency
- Private testers do not have a case backlog and do not change posture with an election
- Agency case backlogs mean a complaint can sit open against you for a very long time
- Disparate impact claims live in the statute and in Supreme Court precedent, not in an agency regulation

> If you tighten your process only when regulators are aggressive, you have built a compliance program that is calibrated to the wrong signal.

03

Build the Monitoring System

Sources, cadence, ownership, and where AI helps

// PART 3 OF 5

Build a source stack, not a news habit

Tier 1	**Primary and authoritative**	State legislature bill trackers, your secretary of state or housing agency, city council and county commission agendas, the Federal Register, published court opinions
Tier 2	**Interpreted by professionals**	Your own real estate attorney, a landlord-tenant firm's client alerts, national law firm advisories, your E&O carrier's risk bulletins
Tier 3	**Industry and association**	NARPM government affairs, your state and local REALTOR association, apartment association updates, your software vendor's compliance releases
Tier 4	**Peer and trade press**	Chapter meetings, operator mastermind groups, trade publications, LinkedIn. Useful for early signal, never sufficient for a decision

Rule: nothing changes a policy, a form, or a fee until it has been confirmed at Tier 1 or 2. Tier 3 and 4 tell you where to look, never what to do.

Give it a cadence so it survives a busy month

Weekly	15 MINUTES	Scan bill tracker alerts and city or county agendas for your markets. Log anything that moves. Decide nothing.
Monthly	45 MINUTES	Review the regulatory log with your operations lead. Assign an owner and a due date to anything with an effective date inside 180 days.
Quarterly	HALF A DAY	Audit one workflow end to end against current law: listings one quarter, application and screening the next, then move-in and deposits, then notices and eviction.
Annually	ONE DAY	Full document refresh with counsel. Lease, addenda, application, management agreement, website disclosures, and your written screening criteria.
Session-driven	AS SCHEDULED	Know when your legislature convenes and adjourns. Most of your year's risk is decided inside a predictable window that you can calendar.

One named owner and one regulatory log

THE OWNER

- One person, named in writing, with this in their job description and their review
- It does not have to be the broker, but the broker signs off on every change
- In a small company this is a role, not a job. Two hours a month is a realistic budget
- Give them explicit authority to stop a process that is out of compliance, and back them when they use it
- Build a named backup. Compliance that lives in one head disappears when that person leaves

THE LOG: SEVEN COLUMNS, ONE SPREADSHEET

01 Jurisdiction and citation

02 What it requires, in one sentence

03 Effective date

04 Which of our documents or systems it touches

05 Owner and due date

06 Status, with a link to the primary source

07 Date verified and by whom

This log is also your evidence. When someone asks whether you knew, the answer should be a document, not a memory.

Where AI genuinely helps, and where it will burn you

USE IT FOR

- Summarizing a 40 page bill into what changes and what it touches
- Comparing your current lease against a new statute clause by clause and flagging gaps
- Drafting the internal memo, the training outline, and the owner notification
- Turning a statute into a checklist of the specific documents and settings that must change
- Monitoring agenda and docket pages you would never read manually

DO NOT USE IT FOR

- Telling you what the law says without a link to the actual text. Always make it cite, then open the citation
- Anything where the effective date matters, since models confuse proposed, passed, and effective
- Local ordinances, which are the least reliably indexed and the most likely to be hallucinated
- Final legal judgment. It is a research accelerator and a drafting tool, not counsel

The workflow that works: AI finds and summarizes, a human verifies at the primary source, counsel decides anything close to the line.

04

Turn a Statute Into Operations

Knowing about a law has never protected anyone

// PART 4 OF 5

The chain runs six links, and it breaks at the weakest one

1

Statute

The actual text and its effective date

2

Policy

Your written internal rule, in plain language

3

Document

Lease, addenda, application, notices, website

4

Configuration

Software settings, fee tables, ledgers, listing feeds

5

Training

The person on the phone knows the new answer

6

Audit

You verify it is happening, and you keep the proof

WHERE IT ACTUALLY BREAKS

Almost never at links one and two. Most companies read the law and write the policy. It breaks at four, five, and six: the fee table nobody updated, the leasing agent who was never retrained, and the audit that never happened. If you only have time to strengthen one link, make it the audit, because an audit finds the other failures for you.

When one rule changes, this is the list you check

- [ ] Public listings and syndication feed
- [ ] Website disclosures and policy pages
- [ ] Rental application and criteria page
- [ ] Screening workflow and adverse action letters
- [ ] Lease and every addendum
- [ ] Renewal and non-renewal notices
- [ ] Fee schedule and ledger charge codes
- [ ] Autopay and payment processing setup
- [ ] Owner management agreement
- [ ] Move-in and move-out documentation
- [ ] Deposit accounting and disposition letters
- [ ] Scripts, training materials, and phone answers

Print this. Tape it inside the front of your regulatory log. Most compliance misses are not a missed law, they are a missed artifact.

A repeatable clock for every change you find

DAYS 1 TO 7

Assess

- Confirm the text and the effective date at the primary source
- Log it with an owner
- Flag whether it is close enough to the line to need counsel

DAYS 8 TO 30

Decide

- Get the legal read if needed
- Write the policy in plain language
- Map every artifact it touches from the inventory

DAYS 31 TO 60

Build

- Redline documents
- Open the vendor ticket early, since configuration is your longest lead time
- Draft scripts and the owner communication

DAYS 61 TO 90

Deploy and verify

- Train the team and document the training
- Go live ahead of the effective date
- Audit a sample within 30 days and record the result

Ninety days is the comfortable version. When a law gives you thirty, you run the same four steps compressed, and you open the vendor ticket on day one.

05

Reduce the Risk You Carry

Criteria, vendors, owners, and the ways good companies still get caught

// PART 5 OF 5

Written criteria and documentation carry most of the weight

WHAT GOOD CRITERIA LOOK LIKE

- Objective and measurable, so two different employees reach the same result
- Published before an applicant spends any money
- Individualized assessment where the law requires it, especially criminal history
- Reviewed annually with counsel and version dated
- Applied to every applicant, including the ones the owner personally likes

WHAT YOU NEED TO BE ABLE TO PRODUCE

- The criteria version that was in effect on the date of the decision
- The reason for every denial, tied to a specific criterion
- The adverse action notice and when it was sent
- A record of every accommodation request and how it was handled, in its own lane, never the pet workflow
- Training records with dates and attendance

Consistency is the defense. Almost every case that goes badly involves an exception someone made for a good reason and never wrote down.

Seven questions for every vendor that touches a decision

1. When a state or city changes a rule that affects your product, what is your typical time to ship a fix?
2. Can your system output a total price field, and can we configure which charges roll into it by jurisdiction?
3. For any scoring or recommendation, what data trains it, and does that include nonpublic data from other operators?
4. Can you produce a per-decision explanation we could hand to an investigator or a plaintiff's attorney?
5. What audit logs exist, how long are they retained, and can we export them?
6. What does your contract say about indemnification if your tool causes a compliance failure?
7. Who at your company owns regulatory monitoring, and how do you notify us when something changes?

Ask in writing. Keep the answers. A vendor that will not answer question four in writing has told you something important.

The owner conversation, before it becomes an argument

WHEN A NEW RULE COSTS THE OWNER MONEY

"The state changed what we can charge. Here is the new number, here is the statute, and here is what happens to you if we ignore it. I am not going to expose your property to a treble damages claim to protect a fee."

WHEN AN OWNER ASKS YOU TO BREAK A RULE

"I can't do that, and it is not a preference. My license is the thing that lets me manage your property at all. Here are two legal ways to get most of what you want."

WHEN THE CHANGE IS COMING BUT NOT EFFECTIVE YET

"This takes effect January 1. We are making the change in November so we are not doing it in a panic. Nothing about your statement changes until then."

Proactive notification is worth real money. Owners forgive a rule change. They do not forgive finding out from a tenant, a lawyer, or their statement.

Five ways careful companies still get caught

1

Waiting for the software to update

Your vendor's release schedule is not a legal defense. If the setting does not exist yet, you change the process manually until it does.

2

Assuming the form provider handled it

State association and template leases lag, and they are drafted for a statewide average, not for the city ordinance that governs half your doors.

3

Managing across a jurisdiction line on autopilot

One county over can be a different rulebook. Every new market you enter is a new compliance review, not just a new market.

4

Copying another manager's documents

You inherit their errors, their jurisdiction, and their vintage, and you have no idea when it was last reviewed.

5

Treating an accommodation request as a pet request

The single most common avoidable fair housing exposure in residential management. It needs a separate lane, every time.

// TAKE THIS HOME

What to do in the first two weeks

Week one

- Name the owner of regulatory monitoring, in writing
- Open the spreadsheet. Seven columns. Log what you already know is coming
- Set bill tracker alerts for your state and calendar agenda checks for your cities
- Pull three live listings and total up every unavoidable charge

Week two

- Send the seven vendor questions to your two most important vendors
- Put the quarterly workflow audit on the calendar for all four quarters
- Confirm your accommodation requests do not run through the pet workflow
- Book the annual document review with counsel now, while you are still motivated

None of this requires a compliance department. It requires one named person, two hours a month, and the discipline to keep the calendar.

// QUESTIONS

You will not out-read this. You can out-system it.

One named owner. One log. A weekly scan, a monthly review, a quarterly audit. A written policy that reaches all the way down to the fee table and the phone script. That is the whole system, and it is enough.

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This session is operational guidance from a fellow operator, not legal advice. Confirm every rule for your own jurisdictions with your own counsel.