

119TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To prohibit the manipulation of rent prices in the United States, and for  
other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. WYDEN (for himself, Mr. WELCH, Ms. KLOBUCHAR, Mr. BOOKER, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. VAN HOLLEN, Mr. SANDERS, Mrs. SHAHEEN, Ms. SMITH, Mr. KIM, and Mr. FETTERMAN) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To prohibit the manipulation of rent prices in the United  
States, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “End Rent Fixing Act  
5       of 2025”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

8               (1) COMMISSION.—The term “Commission”  
9       means the Federal Trade Commission.

1           (2) COORDINATING FUNCTION.—The term “co-  
2           ordinating function” means—

3                   (A) collecting historical or contempora-  
4                   neous prices, supply levels, or lease or rental  
5                   contract termination and renewal dates of resi-  
6                   dential dwelling units, either directly or indi-  
7                   rectly, from 2 or more rental property owners;

8                   (B) analyzing or processing the informa-  
9                   tion described in subparagraph (A) using a sys-  
10                  tem, software, or process that uses the same or  
11                  a similar formula or methodology, including by  
12                  using that information to train an algorithm to  
13                  predict rental prices, lease renewal terms, or  
14                  ideal occupancy levels; and

15                  (C) recommending rental prices, lease re-  
16                  newal terms, or occupancy levels to 2 or more  
17                  rental property owners.

18           (3) COORDINATOR.—The term “coordinator”  
19           means any person that performs a coordinating  
20           function for any rental property owner, including a  
21           rental property owner performing a coordinating  
22           function for their own benefit.

23           (4) PERSON.—The term “person” has the  
24           meaning given the term in subsection (a) of the first  
25           section of the Clayton Act (15 U.S.C. 12).

1           (5) RESIDENTIAL DWELLING UNIT.—The term  
2           “residential dwelling unit”—

3                   (A) means any house, apartment, accessory  
4           unit, manufactured home, manufactured hous-  
5           ing community lot, or other unit used as a resi-  
6           dence; and

7                   (B) does not include inpatient medical  
8           care, licensed long-term care, and detention or  
9           correctional facilities.

10          (6) RENTAL PROPERTY OWNER.—The term  
11          “rental property owner” means any individual, cor-  
12          poration, partnership, association, joint-stock com-  
13          pany, trust, or unincorporated organization, includ-  
14          ing an organization not organized to carry on busi-  
15          ness for its own profit or that of its members, that  
16          owns real property and leases or rents such property  
17          or any portion thereof.

18          (7) STATE.—The term “State” means any  
19          State of the United States, the District of Columbia,  
20          the Commonwealth of Puerto Rico, and any territory  
21          or possession of the United States.

22   **SEC. 3. UNLAWFUL CONDUCT.**

23          (a) CONSPIRACY.—It shall be unlawful for a rental  
24          property owner, in or affecting commerce, or any agent  
25          or subcontractor thereof, to knowingly subscribe to, con-

1 tract with, or otherwise exchange anything of value in re-  
2 turn for the services of a coordinator, and such action  
3 shall be deemed to be an unlawful method of competition  
4 in violation of section 5 of the Federal Trade Commission  
5 Act (15 U.S.C. 45) and a per se violation of section 1  
6 of the Sherman Act (15 U.S.C. 1).

7 (b) COORDINATION.—It shall be unlawful for any  
8 person, in or affecting commerce, to perform a coordi-  
9 nating function, and such action shall be deemed to be  
10 an unlawful method of competition in violation of section  
11 5 of the Federal Trade Commission Act (15 U.S.C. 45)  
12 and a per se violation of section 1 of the Sherman Act  
13 (15 U.S.C. 1).

14 **SEC. 4. ENFORCEMENT.**

15 (a) IN GENERAL.—

16 (1) FEDERAL TRADE COMMISSION.—A violation  
17 of this Act shall also constitute an unfair method of  
18 competition under section 5 of the Federal Trade  
19 Commission Act (15 U.S.C. 45), and if the Commis-  
20 sion has reason to believe that a person violated this  
21 Act, the Commission—

22 (A) may commence a civil action, in its  
23 own name by any of its attorneys designated by  
24 it for such purpose, to recover a civil penalty  
25 and seek other appropriate relief; and

1 (B) shall have jurisdiction to enforce this  
2 Act against an organization not organized to  
3 carry on business for its own profit or that of  
4 its members.

5 (2) ATTORNEY GENERAL.—The Attorney Gen-  
6 eral shall enforce this Act in the same manner, by  
7 the same means, and with the same jurisdiction,  
8 powers and duties as though all applicable terms of  
9 the Sherman Act (15 U.S.C. 1 et seq.), Clayton Act  
10 (15 U.S.C. 12 et seq.), and Antitrust Civil Process  
11 Act (15 U.S.C. 1311 et seq.) were incorporated into  
12 and made a part of this Act.

13 (3) STATE ATTORNEYS GENERAL.—Any attor-  
14 ney general of a State shall enforce this Act in the  
15 same manner, by the same means, and with the  
16 same jurisdiction, powers and duties as though all  
17 applicable terms of the Sherman Act (15 U.S.C. 1  
18 et seq.) and the Clayton Act (15 U.S.C. 12 et seq.)  
19 were incorporated into and made a part of this Act.

20 (b) CIVIL ACTIONS BY INJURED PERSONS .—

21 (1) CIVIL ACTION AUTHORIZED.—Any person  
22 who is aggrieved by a violation of this Act may bring  
23 a civil action in an appropriate district court of the  
24 United States, without respect to the amount in con-

1       troverſy, to recover an amount deſcribed in para-  
2       graph (2).

3           (2) AWARD AMOUNT.—

4           (A) IN GENERAL.—The court ſhall award  
5       the plaintiff threefold the damages ſuſtained by  
6       the plaintiff and the reaſonable coſt of litiga-  
7       tion, including a reaſonable attorney fee.

8           (B) INTEREST ON DAMAGES.—Pursuant to  
9       a motion by plaintiff promptly made, the court  
10      may award ſimple intereſt on actual damages  
11      ſuſtained by the plaintiff for the period begin-  
12      ning on the date of ſervice of the pleading of  
13      the plaintiff ſetting forth a claim under this Act  
14      and ending on the date of judgment, or for any  
15      ſhorter period therein.

16          (3) INVALIDITY OF PRE-DISPUTE ARBITRATION  
17      AGREEMENTS AND PRE-DISPUTE JOINT ACTION  
18      WAIVERS.—At the election of the plaintiff in an ac-  
19      tion authorized under paragraph (1), a pre-diſpute  
20      arbitration agreement or pre-diſpute joint action  
21      waiver relating to a violation of this Act ſhall be in-  
22      valid or unenforceable.

23   **SEC. 5. STANDARDS OF PLEADING.**

24       In a civil action alleging a violation of ſections 1 or  
25   3(a) of the Sherman Act (15 U.S.C. 1, 3(a)), including

1 an action brought by the United States, a State attorney  
2 general, or the Federal Trade Commission under section  
3 5 of the Federal Trade Commission Act (15 U.S.C. 45),  
4 a complaint need not allege facts tending to exclude the  
5 possibility of independent action and shall not be dis-  
6 missed for failure to state a claim unless it appears beyond  
7 doubt that the claimant can prove no set of facts in sup-  
8 port of their claim which would entitle them to relief.

9 **SEC. 6. RELATIONSHIP TO OTHER LAWS.**

10 (a) ANTITRUST LAWS.—Nothing in this Act, or any  
11 amendment made by this Act, shall be construed to impair  
12 or supersede the operation of any of the antitrust laws,  
13 and the unlawful conduct set forth in this Act is in addi-  
14 tion to and not instead of conduct prohibited by the anti-  
15 trust laws.

16 (b) STATE LAWS.—Nothing in this Act may be con-  
17 strued to preempt, annul, alter, or affect, or exempt any  
18 person subject to the provisions of this Act from complying  
19 with the laws of any State, except to the extent that those  
20 laws are inconsistent with any provision of this Act, and  
21 then only to the extent of the inconsistency. For purposes  
22 of this section, a State law is not inconsistent with this  
23 Act if the protection such law affords any person greater  
24 than the protection provided by this Act.

1   **SEC. 7. SEVERABILITY.**

2           If any provision of this Act, or the application of such  
3   a provision to any person or circumstance, is held to be  
4   unconstitutional, the remaining provisions of this Act, and  
5   the application of such provisions to any person or cir-  
6   cumstance shall not be affected thereby.