

AGENDA



2023 NAR NXT

FEDERAL TECHNOLOGY POLICY COMMITTEE

Tuesday, November 14, 2023

10:30am - 12:00pm

CHAIR: INES HEGEDUS-GARCIA (FL)

VICE CHAIR: CHRIS BEADLING (PA)

COMMITTEE LIAISON: ANDY MAHOWALD (SD)

STAFF EXECUTIVES: CHRIS CHRISTENSEN (DC), AUSTIN PEREZ (DC)

PURPOSE

To investigate, analyze, develop, and recommend NAR policy on new and emerging federal technology and telecommunications issues and trends affecting real estate.

10:30 – 10:40am

I. Welcome & Opening Remarks - *Ines Hegedus-Garcia, Chair*

10:40 – 10:45am

II. Approval of Previous Meeting's Minutes -- [EXHIBIT Minutes from May 8, 2023](#) - *Ines Hegedus-Garcia, Chair*

10:45 - 11:15am

III. NAR Staff Overview of Artificial Intelligence & the Public Policy Landscape - *Chris Christensen, Staff Executive* ([REALTOR® Federal Technology Policy Activities](#))

Over the past year, NAR has advanced member interests on a wide range of federal technology and telecommunications public policies. The link above has a sample of NAR's efforts.

11:15 – 11:45am

IV. Committee Breakout Sessions: NAR Artificial Intelligence Policy Framework ([Breakout Assignments](#)) ([Discussion Prompts](#))

A. Subgroup #1: "Algorithmic Bias & Copyright Issues" - *Ines Hegedus-Garcia, Moderator*

Algorithmic Bias

- What are some examples of potential biases that can emerge in AI algorithms used in housing, and how can organizations identify and rectify such biases?
- In what ways can the housing industry ensure that their AI systems do not perpetuate historical discrimination and redlining practices? What measures should be taken to address these issues?
- What role should regulatory bodies and policymakers play in preventing algorithmic bias in the housing sector? How can they work alongside industry stakeholders to ensure equitable outcomes?
- Are there specific data sources or features that are more prone to introducing bias in real estate related AI algorithms? How can organizations source and handle data to mitigate bias?

- How should the housing industry involve diverse stakeholders, including underrepresented communities, in the development and auditing of AI systems to reduce bias and ensure fair outcomes?
- What strategies can organizations employ to regularly monitor and audit their AI algorithms for bias, and how should the findings be disclosed to the public and regulators?
- How do you define bias in an AI context?

Copyright Issues

- What copyright considerations should housing professionals keep in mind when using AI-generated content, such as property descriptions or virtual tours, in their marketing materials? Links are provided below to access relevant member guidance from Chloe Hecht with NAR Legal on the topics of Copyright and AI Use:
<https://www.nar.realtor/videos/window-to-the-law/copyright-issues-for-real-estate-professionals>
<https://www.nar.realtor/videos/window-to-the-law/legal-tips-use-ai>
- In cases where AI-generated content is based on copyrighted material, how can housing organizations ensure they have the appropriate permissions and licenses to use such content?
- How can real estate agents balance their need for AI-generated content with copyright protection and attribution requirements, especially when using third-party AI models or datasets?
- Generative AI is garnering the most attention from Plaintiff counsel specializing in Copyright law. Have any members seen instances of original content appropriated by AI systems?
- AI-generated images and designs are increasingly used in the development of new housing projects. How can the housing industry ensure compliance with copyright laws while harnessing AI for design and planning?
- AI can automatically sort and categorize large datasets of property images. How should companies navigate copyright issues when using AI to organize and manage visual assets?
- Have any members received demand letters for copyright suits related to AI? If yes, what was the outcome?
- Should a watermark be required for AI-generated content?

B. Subgroup #2: “Ethics & Disclosure Issues” - Chris Beadling, Moderator

- Let's begin by discussing the importance of transparency in AI systems. Have you or the brokerage recently used ChatGPT? Is anyone using AI chat and voice interfaces that are capable of helping to match customers with properties, schedule viewings, capture and follow up on leads and answer customer questions? How did you address the transparency of AI use? Does your brokerage have a policy or guidance on the matter?
- Ethical concerns often arise when AI systems are used to make decisions that impact people's lives. Are there examples where you or your brokerage have used AI and it's had a negative impact on a client or other members? What did you do?
- Should transparency about the content of AI developers' training data be part of the conversation about ethical AI?
- AI can be used to generate content such as articles, art, or music. How should creators and platforms disclose the AI's contribution in these cases, especially when the AI's work is mixed with human content?
- Have you considered that AI could be used to impersonate real estate professionals and what that means to our professional reputation or potential liability?

- Transparency often goes hand in hand with accountability. How should organizations take responsibility for the actions and decisions made by their AI systems, and what disclosure mechanisms should be in place?
- There's an ongoing debate about the intellectual property and authorship of AI-generated content. How should disclosure and attribution be handled when AI is involved in content creation?
- In cases where AI is used to evaluate certain characteristics of a home and make an offer, what should companies disclose about how housing data is used to train these AI systems?
- In the development of AI, ethical considerations are evolving rapidly. What steps should organizations take to adapt to emerging ethical norms and best practices in AI disclosure?
- What should be the role of the federal government in protecting consumers in the context of AI used in the home buying process? Should it be left to the states?

C. Subgroup #3: “Consumer Data Privacy Issues” - Saba Mohammed, Moderator

Consumer Data Privacy Issues

- How can AI technologies be used to enhance the home buying process while still protecting the privacy of consumers' personal information?
- What are the key privacy concerns when AI is employed in the home buying process, and how can organizations address these concerns effectively?
- Are multiple listing services in your area utilizing AI?
- Should AI systems that collect data during the property search process disclose how that data is utilized?
- Does your brokerage have a policy to obtain consumer consent before sharing their data with the MLS or other organizations using AI tools?
- In cases where third-party AI providers are involved in the home buying process, how should the sharing of consumer data between different parties be regulated to protect privacy interests?
- What role should government regulations and industry standards play in safeguarding consumer data privacy when AI is employed in the home buying process?
- How can organizations secure the data infrastructure used in AI applications for home buying to prevent data breaches or unauthorized access to consumer information?
- Were any members affected by the recent MLS cyberattack?
<https://www.nar.realtor/magazine/real-estate-news/commentary/mls-cyberattack-a-wake-up-call-for-all-leaders>
- Should consumers have a right to know, opt out, access, and dispute data used by AI powered home buying services?
- Considering the evolving nature of AI and data privacy regulations, how can organizations adapt their practices to stay in compliance and protect consumers' data privacy in the home buying process?
- Should a specific consumer privacy bureau be formed?

11:45 - 11:55am

V. Committee Breakout Reports: NAR Artificial Intelligence Policy Framework - Chris Beadling, Vice Chair

11:55 - 12:00am

VI. Closing Remarks & Adjournment - Ines Hegedus-Garcia, Chair