

2024 -- S 2893

=====
LC004887
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

—————
A N A C T

RELATING TO COMMERCIAL LAW--GENERAL REGULATORY PROVISIONS --
DECEPTIVE TRADE PRACTICES

Introduced By: Senators Bissaillon, Mack, Gu, Euer, and Kallman

Date Introduced: March 22, 2024

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 6-13.1 of the General Laws entitled "Deceptive Trade Practices" is
2 hereby amended by adding thereto the following section:

3 **6-13.1-31. Conspiring to set rents and withhold rental units.**

4 (a) Any two (2) or more landlords renting dwelling units who conspire to commit or who
5 undertake any of the prohibited actions set forth in this section in regard to residential dwelling
6 units in a local housing market, shall be deemed to have engaged in an unfair method of competition
7 and an unfair and deceptive act and practice. These actions are declared prohibited by this section.

8 The prohibited actions include the following:

9 (1) To establish a set price or rent for rental dwelling units;

10 (2) To agree to withhold or withdraw a rental dwelling units from the market in order to
11 artificially increase the demand for the dwelling units among prospective tenants; or

12 (3) To engage in any activity to artificially increase rental prices or decrease the availability
13 of dwelling units on the market.

14 (b) As used in this section, the following terms shall be defined as follows:

15 (1) The terms "dwelling units," "landlords," and "tenants," shall have the same meaning as
16 set forth in § 34-18-11; and

17 (2) The term "local housing market" shall have the same meaning as used in the Federal
18 Office of Management and Budget ("OMB") metropolitan area definitions.

1 SECTION 2. Sections 6-13.1-5.2 and 6-13.1-14 of the General Laws in Chapter 6-13.1
2 entitled "Deceptive Trade Practices" are hereby amended to read as follows:

3 **6-13.1-5.2. Private and class actions.**

4 (a) Any person who purchases or leases goods or services primarily for personal, family,
5 or household purposes and thereby suffers any ascertainable loss of money or property, real or
6 personal, as a result of the use or employment by another person of a method, act, or practice
7 declared unlawful by §§ 6-13.1-2 [or 6-13.1-31](#), may bring an action under the rules of civil
8 procedure in the superior court of the county in which the seller or lessor resides; is found; has his
9 or her principal place of business or is doing business; or in the superior court of the county as is
10 otherwise provided by law, to recover actual damages or five hundred dollars (\$500), whichever is
11 greater. The court may award damages equal to three (3) times the amount of actual damages and,
12 in its discretion, provide other equitable relief that it deems necessary or proper.

13 (b) Persons entitled to bring an action under subsection (a) of this section may, if the
14 unlawful method, act, or practice has caused similar injury to numerous other persons similarly
15 situated and if they adequately represent the similarly situated persons, bring an action on behalf
16 of themselves and other similarly injured and situated persons to recover damages as provided for
17 in subsection (a) of this section. In any action brought under this section, the court may in its
18 discretion order, in addition to damages, injunctive or other equitable relief.

19 (c) Upon commencement of any action brought under subsection (a) of this section, the
20 clerk of court shall mail a copy of the complaint or other initial pleading to the attorney general
21 and, upon entry of any judgment or decree in the action, shall mail a copy of the judgment or decree
22 to the attorney general.

23 (d) In any action brought by a person under this section, the court may award, in addition
24 to the relief provided in this section, reasonable attorney's fees and costs.

25 (e) Any permanent injunction, judgment, or order of the court made under § 6-13.1-5 shall
26 be prima facie evidence in an action brought under this section that the respondent used or
27 employed a method, act, or practice declared unlawful by §§ 6-13.1-2 [or 6-13.1-31](#).

28 **6-13.1-14. Penalties.**

29 Any person who violates the provisions of §§ 6-13.1-12 and/or 6-13.1-13 [or 6-13.1-31](#) shall
30 be guilty of a misdemeanor and shall pay a fine of five hundred dollars (\$500).

31 SECTION 3. This act shall take effect upon passage.

=====
LC004887
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO COMMERCIAL LAW--GENERAL REGULATORY PROVISIONS --
DECEPTIVE TRADE PRACTICES

1 This act would make it a deceptive trade practice for two (2) or more landlords to conspire
2 to take actions that would establish a set price for dwelling units or to withhold dwelling units from
3 the market in order to increase the demand for the dwelling units among prospective tenants. This
4 act would make such action(s) subject to a private civil cause of action, which could include a class
5 action, as well as criminal prosecution as a misdemeanor.

6 This act would take effect upon passage.

=====
LC004887
=====