



NEW YORK STATE SENATOR

Anna M. Kaplan

NY Legislature Updates Law on Real Estate "Salesmen" to be Gender Inclusive

SENATOR ANNA M. KAPLAN May 9, 2022

| ISSUE: GENDER EQUALITY, DIVERSITY & INCLUSION, GENDER BIAS, WORKPLACE FAIRNESS, REAL ESTATE INDUSTRY



According to the New York State Association of Realtors, 64% of New York's REALTORS® are female, yet NYS law only references men in statute

Bill by Senator Kaplan and Assembly Member O'Donnell updates the State's real property law to replace the word "salesman" with "salesperson," and updates pronouns to be gender-neutral

CARLE PLACE, NY (May 9, 2022) - Last week, The New York State Assembly passed

legislation, [S.536a/A.8077a](#), introduced by **Senator Anna M. Kaplan** (D-North Hills) and **Assembly Member Danny O'Donnell** (D-Morningside Heights), that will update the nearly century-old section of the law relating to real estate salespeople, striking antiquated, gender specific language, and replacing it with gender neutral language. Having now been passed by both houses of the Legislature, the bill will go on to Governor Hochul for her consideration.

The underlying section of the real property law, written in 1927, which regulates the real estate brokerage and sales professions, currently includes 85 references to "salesmen" and dozens of instances of gendered pronouns like he, him, and his. The law only includes reference to a "salesperson" in two places, and makes no references to "saleswomen."

Senator Anna M. Kaplan said "jobs have no gender, but unfortunately, many of our State's laws still use gendered language when discussing professions that are practiced by people of all genders. It's important that we update these antiquated sections of the law to reflect our New York values and send a message that everyone, regardless of gender, should be able to pursue their passions."

Assembly Member Danny O'Donnell said "People of all professions deserve to feel valued, but gendered language in our real property law fails to adequately recognize the contributions of women and non-binary New Yorkers. We want our workplaces to reflect the diversity of New York, and the best way to achieve that goal is by making sure all realtors feel that they belong and the profession is accessible. I thank Senator Kaplan for her leadership on this issue, and I am pleased to report that the bill will now be sent to the Governor for consideration."

The bill, [S.536a/A.8077a](#), will update Article 12-A of the Real Property Law by:

- Changing all instances of the word salesman to salesperson

- Removing gendered language from the Article by removing references to "his or her" in favor of "their," change "himself" to "themselves," as well as appropriate changes in variations to these words.

According to studies by the New York State Association of Realtors ([read here](#)) and the National Association of Realtors ([read here](#)), men are actually a minority in the profession, with women representing 64% of Realtors nationally and in New York State. By removing gendered language from the State's real property law, the law will finally reflect the gender diversity of the real estate sales profession.?????

RELATED LEGISLATION

2021-S536

[gender equality](#), [gender](#), [real estate agents](#), [Real Estate Brokers](#), [Real Estate Industry](#)

- Introduced
 - ◦ In Committee Assembly
 - In Committee Senate
 - ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate
 - ◦ Passed Assembly

- Passed Senate

- Delivered to Governor

- Signed By Governor

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Relates to replacing all instances of the word or variations of the word salesman with the word salesperson or variation thereof

January 04, 2021

Signed by Governor

Sponsored by [Anna M. Kaplan](#)

Do you support this bill?