

How AI & ChatGPT & the Laws & the Code of Ethics Note Packet

Intro to AI & ChatGPT

Artificial Intelligence - A set of technologies that enable computers to perform a variety of advanced functions, including the ability to see, understand, and translate spoken and written language, analyze data, make recommendations, and more.

Generative AI - A type of artificial intelligence system capable of generating text, images, or other media in response to prompts. Generative AI models learn the patterns and structure of their input training data and then generate new data that has similar characteristics.

Computer Vision - An AI field that trains computers to interpret and understand the visual world, using digital images and videos and deep learning models. The AI can see, detect, & utilize what it sees in imagery and then apply it to any AI task.

History & Recent Explosion of AI

Which Platform Should I Use?

Free Versus Paid & NAR Code of Ethics Standard of Practice Article 1-9

From a Legal Standpoint - ChatGPT versus Google Gemini

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What are the Concerns with Generative Artificial Intelligence (AI)

1. Is AI-generated content Legal?

2. AI-generated content can be Biased, Weird, & Hateful. Can it Violate Fair Housing?

3. The Source is the Internet - AI-generated content can be False &/or Misleading.

Tip: Always proofread, fact check, check sources, & legal/code of ethics check anything created by AI.
With Fair Housing, you can include "Factoring in US Federal Fair Housing Laws" in your prompt

4. AI Avatars & Deep Fakes (& Article 15 of the Code of Ethics)

5. AI is Going to Change or Replace a Lot of Jobs

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6. AI & the National Association of REALTORS Code of Ethics

Article 1 - 3

REALTORS®, in attempting to secure a listing, shall not deliberately mislead the owner as to market value.

Computer Vision AI tools are struggling with things like materials & therefore, can produce misleading or inaccurate property details, which can affect the price evaluation of a property. Therefore, it is a real estate professional's responsibility to ensure all information produced by AI is accurate & doesn't mislead the public in any way.

Article 1 - 9

The obligation of REALTORS® to preserve confidential information (as defined by state law) provided by their clients in the course of any agency relationship or non-agency relationship

While the main AI Platform options (ChatGPT, Google Gemini, & Microsoft Co-Pilot) are placing an emphasis on privacy, data security, & ethics, many 3rd party tools do not ensure this. It is recommended to use the main platforms, as it is the real estate professional's duty to ensure they are protecting this information.

Article 2

REALTORS® shall avoid exaggeration, misrepresentation, or concealment of pertinent facts relating to the property or the transaction.

Generative AI Platforms can utilize information from unvetted sources and are known to sometimes produce false or misleading information. In fact, a known issue with generative AI platforms is their tendency to hallucinate or make up false information. It is the real estate professional's duty to ensure that any content created by Generative AI is truthful and accurate.

Article 10

REALTORS® shall not deny equal professional services or discriminate against any person for reasons of race, color, religion, sex, disability, familial status, national origin, sexual orientation, or gender identity.

Generative AI Platforms can often produce content that is hateful and discriminatory or contains bias. It is the real estate professional's duty to ensure that they review any content created with generative AI to ensure it doesn't potentially offend, hurt their reputation, and/or violate.

Article 10-1

REALTORS® shall not volunteer information regarding the racial, religious, or ethnic composition of any neighborhood, nor shall they engage in any activity that may result in panic selling.

Generative AI Platforms may produce this information if requested, as they do not know or abide by the Code of Ethics. It is the real estate professional's duty to ensure that they review any content created with generative AI to ensure it doesn't potentially offend, hurt their reputation, and/or violate.

Article 10-3

REALTORS® shall not print, display, or circulate any statement or advertisement with respect to selling or renting of a property that indicates any preference, limitations, or discrimination based on race, color, religion, sex, disability, familial status, national origin, sexual orientation, or gender identity.

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Article 10-5

REALTORS® must not use harassing speech, hate speech, epithets, or slurs based on race, color, religion, sex, disability, familial status, national origin, sexual orientation, or gender identity.

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Article 11

REALTORS® shall not undertake to provide specialized professional services concerning a type of property or service that is outside their field of competence

Generative AI Platforms can produce content in areas that the real estate professional may have no knowledge or expertise in. It is the real estate professional's duty to ensure that whatever content they publish does not misrepresent to the public their level of knowledge or expertise.

Article 11-1

When REALTORS® prepare opinions of real property value or price, they must:

- 1) Be knowledgeable about the type of property being valued,
- 2) Have access to the information and resources necessary to formulate an accurate opinion, and
- 3) Be familiar with the area where the subject property is located

Generative AI Platforms can provide valuations on properties with little data or knowledge of the area, property condition, market conditions, etc. It is the real estate professional's duty to ensure that any content created by Generative AI is truthful and accurate.

Article 12

REALTORS® shall be honest and truthful in their real estate communications and shall present a true picture in their advertising, marketing, and other representations.

Generative AI Platforms can utilize information from unvetted sources & are known to sometimes produce false, misleading, or hallucinated/made-up or false information. It is the real estate professional's duty to ensure that any content created by Generative AI is truthful and accurate.

REALTORS® shall ensure that their status as real estate professionals is readily apparent in their advertising, marketing, and other representations, and that the recipients of all real estate communications are, or have been, notified that those communications are from a real estate professional.

Generative AI Platforms may produce this information if requested, as they do not know or abide by the Code of Ethics. It is the real estate professional's duty to ensure that they review any content created with generative AI to ensure it doesn't potentially offend, hurt their reputation, and/or violate.

Article 12-5

REALTORS® shall not advertise nor permit any person employed by or affiliated with them to advertise real estate services or listed property in any medium (e.g., electronically, print, radio, television, etc.) without disclosing the name of that REALTOR®'s firm in a reasonable and readily apparent manner either in the advertisement or in electronic advertising via a link to a display with all required disclosures.

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Article 12-10

REALTORS® obligation to present a true picture in their advertising and representations to the public includes manipulating (e.g., presenting content developed by others) listing and other content in any way that produces a deceptive or misleading result; otherwise misleading consumers, including the use of misleading images.

Generative AI Platforms may produce this information if requested, as they do not know or abide by the Code of Ethics. It is the real estate professional's duty to ensure that they review any content created with generative AI to ensure it doesn't potentially offend, hurt their reputation, and/or violate.

Article 13

REALTORS® shall not engage in activities that constitute the unauthorized practice of law and shall recommend that legal counsel be obtained when the interest of any party to the transaction requires it.

Generative AI Platforms may produce legal information, advice, and documents. It is the real estate professional's duty to ensure that they review any content created with generative AI to ensure it doesn't potentially offend, hurt their reputation, and/or violate.

Article 15

REALTORS® shall not knowingly or recklessly make false or misleading statements about other real estate professionals, their businesses, or their business practices.

Generative AI Platforms may be used to create fake or altered imagery, videos, and avatars of human personas, and when done without permission, become deepfakes. It is the real estate professional's duty to ensure that they review any content created with generative AI to ensure it doesn't potentially offend, hurt their reputation, and/or violate.

