

## Prohibition of Evictions Without Good Cause (S.3082)

New York State Senate Joint Hearing

Standing Committees on the Judiciary and Housing, Construction & Community Development

Friday, January 7, 2022

Testimony from Sarah Lazur, member of Tenants Pac

My name is Sarah Lazur, and I'm a member of Tenants Pac, and a member of the Crown Heights Tenant Union (CHTU), the Housing Justice for All Coalition, and the Right To Counsel Coalition.

Five years ago, I went to my first CHTU meeting because I had discovered that my apartment had been deregulated through years of illegal increase percentages, unaccounted mystery increases, preferential rents, etc. My rent history document turned out to be very similar to hundreds of other rent histories in Crown Heights, where you see long-term tenants forced out, followed by a churning mill of short-term tenants, people who stay for one year and then move, signing leases whose numbers make no sense, but who clearly were not around long enough to discover the problem or try to rectify it.

All of this led to mass deregulation, starting in the northwest of the neighborhood and marching south- and eastward, thwarted only by the presence of a strong neighborhood tenant union, bringing long-term residents and new arrivals together to fight the cycle of overcharge and displacement. A neighborhood that used to be almost entirely regulated is now only about half-regulated, making it into a microcosm of the divided state of rental housing in the city, and in the state. But this isn't some natural economic experiment, and the most recent census tells the stark reality: mass deregulation in Crown Heights coincided with the displacement of 20,000 Black people,<sup>1</sup> and this isn't just a coincidence.

You might imagine that deregulating all those apartments led to better conditions – after all, endless denial of repairs was a common tactic to harass long-term tenants into leaving their stabilized homes – but my fellow unregulated tenants also deal with spotty hot water, loss of heat in the winter, ancient fixtures, leaking ceilings, black mold, vermin, etc. The difference is that unregulated tenants live in fear that any complaint to their landlord will result in them refusing to renew their lease, or in a massive rent increase that is so far beyond their means that it is essentially an eviction notice. NYS law states that tenants have a right to organize in order to demand that landlords fulfil their legal obligations, but if your landlord can choose to not renew your lease just because he found out you've been talking to your neighbors about your rent history or the heat going out, then that "right to organize" is a cruel joke.

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The desperation of the first year of the pandemic and the protection of the eviction moratorium led to more and more tenants finding the courage to organize with their neighbors and fight for decent conditions and against harassment; CHTU had a massive influx of new members, even from other neighborhoods (and other cities), eager to organize their own buildings and form tenant associations. The #1 concern among unregulated tenants joining us was fear of retribution from their landlord and being denied a new lease, and this was why we demanded that the Cancel Rent bill include language guaranteeing lease renewals, a demand that rightly found its way into the ERAP legislation.

You have heard from landlord groups today that Good Cause will cause them to lose their buildings, that it will be a disaster for homeownership in NYS. Do not simply take them at their word! Even if you were applying blanket rent stabilization – which Good Cause will NOT do – stabilized buildings are consistently profitable, even in years with smaller increase allowances, as evidenced by the fact that almost no landlords have ever applied for a hardship exemption to the rent guidelines. They claim any new regulation on rent will decrease the housing stock, but there are plenty of studies disproving that.<sup>2</sup> These landlord groups have claimed that the massive increases they have imposed on tenants statewide are necessary to make up for lost pandemic-era revenue, but a study from JP Morgan Chase<sup>3</sup> showed that small landlords nationwide made more money during the pandemic than before it once the federal aid is factored in. The only conclusion we can rationally draw here is that in the absence of any legal constraints, NYS landlords are retaliating on the tenant population for organizing to protect themselves during the pandemic, and hoping to profit from the mass displacement that will certainly follow the end of the eviction moratorium, all while COVID continues to ravage the country, thousands of tenants are still waiting for relief from the ERAP program, and thousands more eligible tenants still haven't been able to apply.

NYS had the chance three years ago to do the right thing and make the right to organize a reality by passing Good Cause. You could have given tenants a defense against the wave of unconscionable rent hikes that has already started and the wave of holdover evictions that is coming. I urge you to do the right thing now, and give 4 million New Yorkers a fighting chance at staying in their unregulated homes: you must pass Good Cause now, as well as a ban on Winter Evictions, and statewide Right To Counsel. Thank you.

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<sup>2</sup> <https://jwmason.org/slackwire/considerations-on-rent-control/>

<sup>3</sup> <https://www.jpmorganchase.com/institute/research/household-debt/how-did-landlords-fare-during-covid>