



Memo in Support: Good Cause Eviction
S3082/A5573

January 7, 2022

Dear Legislator,

Make the Road New York writes to stand with communities, organizations, and elected leaders across New York State in supporting new “Good Cause” eviction legislation to bring renters rights to tenants in smaller buildings and in manufactured home communities prohibition of eviction without good cause (S3082/A5573). This legislation protects New York tenants from harassment and displacement.

New Yorkers across the state confront a grave affordable housing crisis. Tenants from Brooklyn to Buffalo face surging rents, abusive landlords, and a dire lack of affordable options. Families and neighborhoods are under attack, with rampant displacement changing the very nature of communities.

Across the state, there are 5 million renters who have NO basic tenant protections because their apartments fall outside the system of rent regulation. These tenants are frequently harassed by landlords, subject to enormous rent increases, and refused the opportunity to renew their lease. This includes more than 1.2 million households living in rental units outside of New York City and nearly 150,000 households living in mobile home units outside of New York City.

“Good Cause” eviction legislation would:

- Prohibit eviction of tenants absent a showing of “good cause”.
 - Examples of good cause include: illegal tenant activity, violations of obligations of tenancy, refusal to cure tenant created nuisance, tenancy causes violation of law subjecting landlord to civil or criminal penalty, certain

cases where landlord intends to self-occupy, and tenant failure to pay rent that is not *unreasonable*.

- Protect tenants from eviction or attempted eviction without a determination of good cause by a court even if they have no lease or if their lease has expired or terminated.
- Apply to nearly every building except owner occupied buildings with three or fewer units -- with certain exceptions for cases where a landlord or successor seeks to occupy a living space themselves.
- Creates a rebuttable presumption that a rent increase is unreasonable if it is more than the greater of 3% or 1.5x the annual change in Consumer Price Index.
- Provides that tenants can never waive or modify these protections.
- Provides that tenants suffering landlord fraud related to the provisions of good cause protections have cause of action for actual damages, injunctive relief, and attorneys fees.

At a time of great uncertainty, when homelessness and housing insecurity continue to pose great threat to health and safety of New Yorkers well into the foreseeable future, enacting Good Cause Eviction serves as a just plan for transition to a fairer post-COVID New York. Good Cause will inject stability into New York's housing market, help curb speculation, and curb the longtime threat of displacement among communities across the state.

It is time for New York to lead the way by expanding real tenant protections to all municipalities across the state. We urge you to sign on and support this path towards sustainably protecting affordable housing and permanently expanding tenant protections statewide by supporting S3082/A5573.

Sincerely,

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