



HOUSING RIGHTS INITIATIVE

To: Senator Brian Kavanaugh and the NYS Senate Housing Committee; Senator Brad Hoylman and the NYS Senate Judiciary Committee
CC: Senator Julia Salazar
RE: Memo Of Support: Good Cause Eviction
Bill Number: S3082/A5573

At this pivotal point of uncertainty in New York's COVID and housing crises we must decide how to proceed in protecting tenants. We know that the statewide eviction moratorium has saved countless lives throughout the pandemic, but we also know that it cannot last forever. New York needs an immediate plan for when the statewide eviction moratorium expires AND a permanent plan for curbing evictions driven by speculation and harassment. In order to avoid an eviction cliff when the moratorium expires, **New York needs Good Cause Eviction (S3082/A5573) NOW.**

Good Cause Eviction protects tenants not covered by rent regulations and prevents evictions for the sole purpose of harassment or rent increase. Good Cause also extends protections to month to month tenants and tenants with no lease -- renters that are more likely to be working class, low income, and immigrants. These protections give renters the freedom to organize and offers a code of conduct between landlords and tenants. Across neighborhoods Good Cause establishes tenant stability and helps curb displacement and gentrification by limiting speculation.

[The Community Service Society estimates that Good Cause Eviction, as drafted, would protect 4 million New York tenants from displacement.](#)

We have seen before that economic disaster can precede periods of housing speculation where skyrocketing rents fuel evictions which feed displacement. With the current COVID-19 economic disaster we must act to prevent another compounding of the existing housing and homelessness crisis. It is critical that our state act now to steady housing volatility and curb speculation.

For context, Housing Rights Initiative is a housing watchdog group that takes a proactive and systematic approach to targeting, investigating, and fighting fraudulent real estate practices, promoting fair housing, and connecting tenants to legal support. HRI's data-driven model identifies properties where there is a high probability of systematic fraud and discrimination. We educate and counsel tenants about their rights to fair and affordable housing and launch investigations against predatory real estate companies.



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We write in strong support of the Prohibition of eviction without good cause law (“Good Cause Eviction”) (Salazar S3082/Hunter A5573). Good Cause Eviction protects New York tenants from harassment and displacement. In doing so this legislation:

- Prohibits eviction of tenants absent a showing of “good cause”.
- Applies 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.
- Protects 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.
- 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*.
- 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 attorney’s fees.

This bill is particularly important to Housing Rights Initiative because it would mean greater protections for New Yorkers at risk of evictions during these times.

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. We urge you to sign on and support this path towards sustainably protecting affordable housing and permanently expanding tenant protections statewide.

Sincerely,

Aaron Carr
Executive Director