

Thank you for the opportunity to offer comments on Senator Salazar's S3082 bill, which prohibits eviction without good cause. My name is Oksana Mironova and I am a housing policy analyst at the Community Service Society of New York (CSS). CSS has worked with and for New Yorkers since 1843 to promote economic opportunity and champion an equitable city and state. We center the voices and experiences of communities of color and those with low incomes, powering change through a strategic combination of research, services, and advocacy. We work extensively on tracking the New York's eviction crisis and evaluating the impact of the State's rent and tenant protection laws.

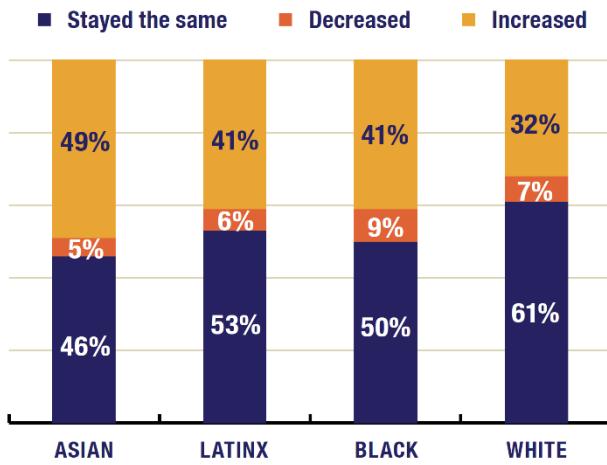
Before March 2020, many low-income New Yorkers were already living on the edge, with rent eating up a substantial portion of their earnings. The pandemic has intensified an ongoing crisis. According to our 2021 Unheard Third survey—the longest running scientific survey of low-income communities in the nation—41 percent of low-income respondents lost employment income in their household during the pandemic, compared to 29 percent of those with moderate to higher incomes. Today, nearly 92,000 people across the state are homeless. Further, more than 226,000 households have been sued for eviction across New York State, as of this month. They will be on the brink of losing their homes, when New York State's eviction moratorium expires on January 15th.

The combined impact of the pandemic and the State's ongoing housing crisis has not been distributed evenly. Our findings show that over one in four low-income tenants (27 percent) owe back rent, with Black and Latino/a/x tenants—particularly women—at the greatest risk. Far more people are behind on rent than were assisted through the Emergency Rental Assistance Program (ERAP).

At the same time, we know that public intervention can work. Our 2021 Unheard Third data showed a marked decline of housing hardships among low-income New Yorkers in 2020, despite all the economic impacts of the pandemic. The state must enact permanent housing measures, starting with Good Cause eviction protection, to keep New Yorkers housed. A Good Cause law would:

- Bolster other tenant protection laws and subsidy programs to keep New Yorkers in their homes;
- Create the conditions for tenants to organize in their buildings and fight bad conditions;
- Limit speculation in rental buildings not covered by rent stabilization.

Has rent in your residence increased, decreased, or stayed the same? (low-income tenants, 2021)



compared to low-income white tenants. Specifically, 32 percent of low-income white respondents experienced rent increases, while 41 percent of low-income Black and Latino/a/x tenants and 49 percent of low-income Asian tenants faced increases. Market pressure on neighborhoods with high shares of Black, Latino/a/x, and Asian tenants did not ease during the pandemic.

In our survey, more than one in four low-income renter households (27 percent) reported having debt from back rent. While the Unheard Third focuses on New York City, we know that this is a problem with statewide resonance. According to PolicyLink's analysis of the U.S. Census Household Pulse survey, 591,000 households owe nearly \$2 billion in back rent in New York State. Of that total, roughly 408,000 households owe \$1.45 billion in New York City, with an average of \$3,500 in back rent per household.

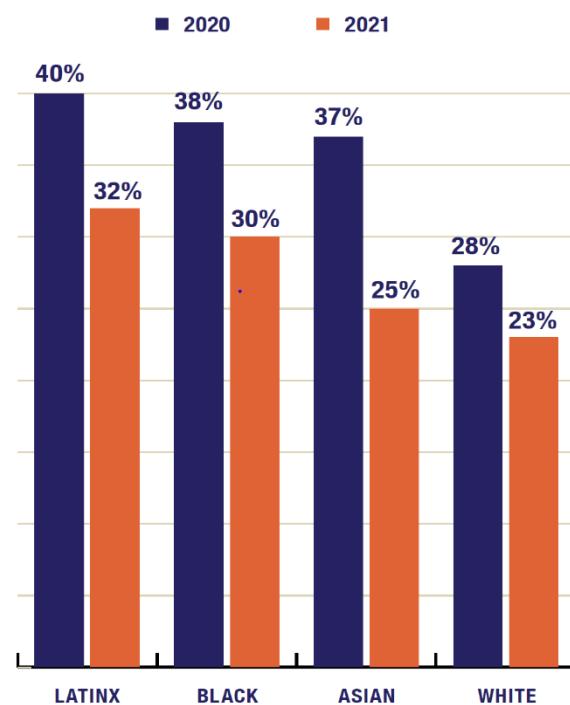
While all tenants have more confidence about making the rent in 2021 compared to 2020 – a testament to

Falling Behind: Growing Rent Debt

Among Poor Tenants & Tenants of Color

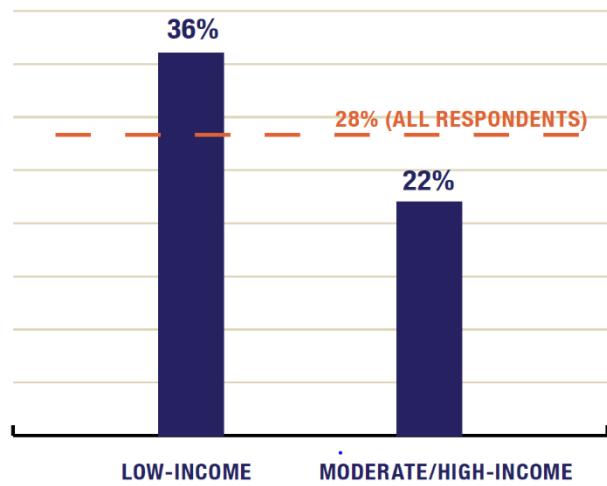
Poor New Yorkers and New Yorkers of color bore the brunt of pandemic-related economic losses. Further, even during the height of the pandemic, the plurality (43 percent) of tenants who earn less than the federal poverty line experienced rent increases, 17 points more than higher-income tenants. Rates of rent increases were significantly higher for low-income tenants of color

Share of respondents who fell behind/anticipate falling behind on rent (2020-2021)



the effectiveness of public rent relief efforts, which we discuss below – a gap between white and Latino/a/x (-9%) and white and Black (-7%) tenants persists. Nearly one in three Latino/a/x and Black tenants have fell behind or anticipate falling behind on their rent.

Share of respondents worried about being forced to move/evicted when eviction moratorium ends (2021)



The End of the Eviction

Moratorium & Fears for the Future

The expiration of New York State's eviction moratorium on January 15th is a major cause for concern among tenants. In our survey, more than one in three (36 percent) low-income respondents and one in five (22 percent) moderate- or high-income respondents said they were concerned about losing their home when the moratorium expires.

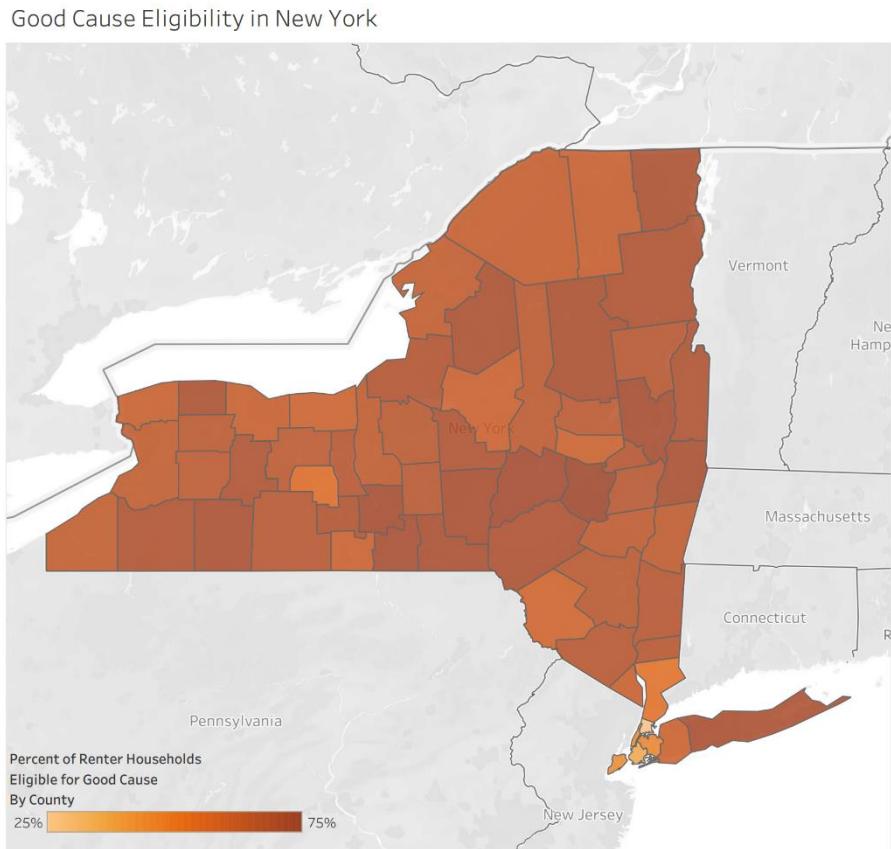
Today, there are more than 226,000 active eviction cases statewide, with many more landlords waiting to file their evictions when the moratorium expires next week. This pattern has already been established in other states. Princeton University's Eviction Lab recorded a national eviction spike at the end of August 2021, when the federal eviction moratorium expired.

Good Cause: From Temporary Relief to Permanent Solutions

Good cause eviction would provide tenants with a baseline right to remain in their homes by prohibiting non-renewals and no-fault evictions without good cause. S3082 would also require landlords to justify rent increases greater than 3 percent of the previous rental amount, or 1.5 percent of the Consumer Price Index (CPI), whichever is higher. An unreasonably high rent hike at the end of a tenant's lease term can serve as a de facto eviction notice. The failure to pay rent, substantial lease violations, committing or permitting a nuisance, and apartment use for illegal purposes all qualify as "good causes" for eviction.

Under Senator Salazar's bill:

- About 1.6 million renter households in New York State—nearly half the state's renters—would be newly covered by good cause eviction protections.
 - For all counties outside New York City, over 50 percent of renters would be eligible for good cause protections.



For half of New York's counties, at least 2 of every 3 households would be eligible (See appendix for a breakdown of eligibility by county).

- The relatively lower rates of eligibility in New York City are due to the city's high percentage of public, subsidized, and stabilized rentals, which already carry comparable or stronger protections. At the same time, about 600,000 renter households in New York City would be newly covered, including tenants living in smaller building, those built after 1974, and those that have been previously deregulated.

Good cause has widespread benefits. Foremost, it gives tenants stability, security, and legal protection against arbitrary rent hikes or displacement. Without good cause eviction protection and with the end of the eviction moratorium in sight, we will see a spike of “self-evictions”, where tenants prematurely move out of their apartments when facing the mere potential of an eviction, even if it is unjust.

Good cause can also embolden tenants to stand up for their rights. Under good cause, when tenants experience poor living conditions, discrimination, or other illegal landlord behavior, they can safely take up the issue with their landlord or file a complaint without fear of retaliatory eviction.

Moreover, good cause eviction stabilizes communities. The policy curbs speculation by making it more difficult for large investors to flip rental housing and hike up the rents. Evidence from four California cities with a similar policy found lower eviction rates and lower eviction filing rates.

The pandemic and its economic impacts will continue to shape our city for a long time. The guarantee of a lease renewal for the majority of tenants statewide, paired with existing measures like the Tenant Safe Harbor Act, and new measures like an expansion of rental assistance and statewide Right to Council, can help keep tenants in their homes, reduce housing hardships, and enhances public health.

Thank you again for the opportunity to offer comments. For more information or if you have any questions, please contact Oksana Mironova at omironova@cssny.org.

Appendix: Good Cause Coverage, by County

| County | Renter-Occupied Households | Households Eligible for Good Cause | Percent of Renters Eligible for Good Cause |
|-------------|----------------------------|------------------------------------|--|
| Schoharie | 3,037 | 2,278 | 75.0% |
| Otsego | 6,517 | 4,803 | 73.7% |
| Saratoga | 26,248 | 19,177 | 73.1% |
| Tompkins | 17,863 | 13,020 | 72.9% |
| Tioga | 4,621 | 3,355 | 72.6% |
| Chenango | 5,283 | 3,821 | 72.3% |
| Rensselaer | 24,135 | 17,396 | 72.1% |
| Broome | 27,360 | 19,554 | 71.5% |
| Allegany | 4,270 | 3,041 | 71.2% |
| Suffolk | 95,065 | 67,678 | 71.2% |
| Hamilton | 154 | 109 | 71.1% |
| Lewis | 1,965 | 1,394 | 71.0% |
| Orleans | 4,043 | 2,869 | 71.0% |
| Clinton | 10,491 | 7,435 | 70.9% |
| Delaware | 4,958 | 3,509 | 70.8% |
| Livingston | 6,122 | 4,315 | 70.5% |
| Essex | 3,887 | 2,738 | 70.4% |
| Washington | 6,232 | 4,365 | 70.0% |
| Cattaraugus | 9,001 | 6,291 | 69.9% |
| Madison | 5,861 | 4,093 | 69.8% |
| Oswego | 12,114 | 8,413 | 69.4% |
| Schuyler | 1,819 | 1,260 | 69.3% |
| Dutchess | 33,873 | 23,040 | 68.0% |
| Schenectady | 18,648 | 12,650 | 67.8% |
| Seneca | 3,542 | 2,403 | 67.8% |
| Orange | 42,432 | 28,630 | 67.5% |
| Steuben | 10,866 | 7,325 | 67.4% |
| Putnam | 6,341 | 4,265 | 67.3% |
| Cortland | 6,097 | 4,093 | 67.1% |
| Albany | 55,199 | 37,013 | 67.1% |
| Warren | 8,195 | 5,475 | 66.8% |

| County | Renter-Occupied Households | Households Eligible for Good Cause | Percent of Renters Eligible for Good Cause |
|-----------------------|----------------------------|------------------------------------|--|
| Onondaga | 65,453 | 43,562 | 66.6% |
| Ulster | 21,999 | 14,624 | 66.5% |
| Genesee | 6,591 | 4,361 | 66.2% |
| Wyoming | 3,676 | 2,430 | 66.1% |
| Fulton | 6,615 | 4,368 | 66.0% |
| Ontario | 11,733 | 7,725 | 65.8% |
| Herkimer | 6,472 | 4,242 | 65.5% |
| Greene | 4,304 | 2,797 | 65.0% |
| Columbia | 6,563 | 4,260 | 64.9% |
| Cayuga | 8,970 | 5,808 | 64.8% |
| Erie | 138,002 | 88,497 | 64.1% |
| Jefferson | 18,599 | 11,914 | 64.1% |
| Chautauqua | 16,320 | 10,405 | 63.8% |
| St Lawrence | 11,337 | 7,174 | 63.3% |
| Monroe | 110,165 | 68,594 | 62.3% |
| Franklin | 5,438 | 3,386 | 62.3% |
| Niagara | 25,976 | 16,115 | 62.0% |
| Oneida | 29,182 | 17,900 | 61.3% |
| Chemung | 10,772 | 6,588 | 61.2% |
| Rockland | 31,847 | 19,461 | 61.1% |
| Montgomery | 6,205 | 3,784 | 61.0% |
| Wayne | 8,649 | 5,262 | 60.8% |
| Nassau | 86,399 | 52,562 | 60.8% |
| Sullivan | 8,929 | 5,275 | 59.1% |
| Yates | 1,782 | 973 | 54.6% |
| Westchester | 134,818 | 70,242 | 52.1% |
| Queens | 430,200 | 193,495 | 45.0% |
| Richmond | 50,981 | 21,754 | 42.7% |
| New York | 576,664 | 240,574 | 41.7% |
| Kings | 669,935 | 228,021 | 34.0% |
| Bronx | 404,617 | 100,032 | 24.7% |
| NEW YORK STATE | 3,385,432 | 1,591,993 | 47.0% |