



## Adopting Good Cause Eviction Protections for NYS Municipalities

New York State passed **Good Cause Eviction Protections** (§213- 2(a) of Article 6-A of NYS Real Property Law) in April 2024, after years of organizing by tenants across the state. Good Cause provides the right to a lease renewal at a reasonable rent – securing much needed stability for tenants facing high housing costs and displacement pressures. The state law requires municipalities to adopt these essential tenant protections.

Good Cause Eviction Protections gives eligible tenants new rights:

- Protection against unjustified or retaliatory evictions
- Right to renew the lease at a reasonable rent
- Ability to challenge rent hikes that are more than 10% **OR** the Consumer Price Index (CPI) + 5%, whichever is lower ([8.82% in NYC/suburbs/Long Island and 8.45% upstate as of May 2024](#))

Good Cause is in effect in New York City, covering approximately 1.3 million tenants, and was recently passed in Albany, Beacon, Ithaca, Kingston, Poughkeepsie, and Newburgh. It has been introduced in Rochester and several other towns and cities are considering opting in.

### Recommendations for Municipalities Adopting Good Cause Eviction Protections

The new state Good Cause Eviction Law authorizes municipalities to opt in to the protections, eliminating the barrier that cities faced in prior years after courts found that only the state could adopt such protections. The state's version of the law includes many exemptions that limit the scope of the law. In addition to requiring localities to opt in, the law excludes:

- Units built within the last 30 years, starting from 2009,
- Public housing units or units that already are covered by rent stabilization or regulatory agreements,
- Units rented from coop and condos and manufactured housing units,
- Units in owner-occupied buildings with fewer than 11 units.

The law allows municipalities to set the definition of two additional exclusions for landlord portfolio size and a high rent threshold. **Municipalities should adopt the strongest version of Good Cause possible by closing loopholes to ensure the maximum number of tenants gain housing stability.**

1. **Close the LLC Loophole:** Municipalities should define the size of the portfolio exemption as 1 unit in the State of New York. Any other definition creates a loophole for landlords seeking to avoid the law to hide how many units they own behind anonymous Limited Liability Companies (LLCs), making it impossible for tenants in smaller buildings to know whether they have protections and exercise their rights.
2. **Set A High Luxury Exemption Threshold:** Set the exemption threshold at 345% of [area Fair Market Rent](#). If the threshold is too close to current market rate prices, it will become an incentive for landlords to increase the rent a little bit to avoid being covered by Good Cause.

## Frequently Asked Questions

### What is a “good cause” to evict a tenant under the law?

Good Cause allows landlords to evict tenants for a “good cause,” which include:

- Nonpayment of rent
- Violating the lease
- The landlord wishes to recover the unit for personal use
- Causing a nuisance or violating the law
- The owner intends to demolish or is taking it off the market

### Why set the portfolio exemption at 1 unit?

Most tenants don't often know how many other buildings their landlord owns, and they often have no way to find out because their landlord might own their properties under the name of one or many Limited Liability Companies (LLCs). Setting the threshold at one unit ensures that tenants in multi-unit buildings will know definitively that they are covered by the law and can use it to negotiate fair lease renewal terms. If tenants don't know if they have Good Cause rights to help them negotiate with their landlords over lease renewals and rent hikes, they are more likely to either lose their housing or end up in court and strain already scarce legal resources.

Small landlords are already covered by the owner-occupied exemption, which excludes buildings with 10 or fewer units where the owner lives in the building. Setting the portfolio size at 1 unit will avoid privileging larger corporate landlords with multiple LLCs that hide the scope of their portfolio.

### What are other cities doing?

The cities of Albany, Beacon, Kingston, Ithaca, Poughkeepsie, and Newburgh passed versions of Good Cause that close the LLC loophole by defining the portfolio exemption as 1 unit. Albany, Beacon, Ithaca, Poughkeepsie, and Newburgh also set the high rent threshold to 345% of Fair Market Rent. Sample language for local laws is available on request.

*[Housing Justice for All](https://housingjusticeforall.org) is a statewide coalition of more than 80 organizations representing tenants and homeless New Yorkers, united in our fight for housing as a human right. More resources are available at [housingjusticeforall.org](https://housingjusticeforall.org) or contact us at [info@housingjusticeforall.org](mailto:info@housingjusticeforall.org).*