

NEW YORK BREAST CANCER LEGAL RESOURCE GUIDE



New York's Good Cause Eviction Law

**LEGAL WELLNESS INSTITUTE
at THE FAMILY CENTER**



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If you're facing a breast cancer diagnosis, the threat of housing instability can add extra worry to an already difficult time. That's why it's important to be aware of your rights as a tenant in NYC.

What is the Good Cause Eviction Law?

On April 20, 2024, a new law was passed in NY that will give some tenants protection against **baseless evictions** and **extreme rent increases**.

The law is in effect in New York City and a few other jurisdictions. Other municipalities have the ability to “opt in” to the law’s provisions. This guide is specifically for tenants living in New York City.

Does it apply to everyone?

No. The Good Cause Eviction Law may apply to you if you live in an “unregulated” apartment that was built before 2009. Rent-controlled and rent-stabilized apartments are excluded from the Good Cause Eviction Law. Many government-regulated and -funded housing types, like NYCHA, Project-based Section 8, and HPD Housing Connect apartments, are also exempt.

Other units that are **exempt** from the Good Cause Eviction Law include:

- Those owned by a “small landlord” (owns 10 or fewer units in the state)
- Those in an “owner-occupied” building of 10 or fewer units
- Sublets
- Units connected to your employment
- Co-ops and condos
- Seasonal dwellings, hotels, hospitals, dorms, and religious institutions
- Some retirement homes, assisted living and senior care facilities
- Manufactured/mobile homes within manufacture home parks
- Units where the rent is more than 245% of the monthly fair market rent (currently \$6,005/mo for a 1-br in NYC)

How will I know if my unit is subject to the law?

There is no official registry of homes that are subject to or exempt from the Good Cause Eviction Law. Landlords and tenants will probably sometimes disagree about whether a unit should be subject to the law, and these kinds of disagreements may have to be resolved by the courts.

Starting August 18, 2024, landlords will have to provide tenants with a “Notice of Good Cause Eviction Applicability or Inapplicability” if they are offering/renewing a lease, notifying a tenant that a lease will not be renewed, increasing a tenant’s rent by more than 5%, sending a 14-day rent demand, or filing an eviction case. These notices should help you find out whether your landlord thinks your unit is subject to the law, and why.

How much can my landlord raise my rent?

If your unit is protected by the Good Cause Eviction Law, your landlord should only raise your rent by between 5-10% at each lease renewal.

The exact amount of the allowed increase (the “local rent standard”) is based in part on inflation rates, and will be decided by the state each year. It is currently around 8.8% in NYC.

If your landlord increases your rent above the allowed amount and then tries to evict you for failing to pay the excessive increase, a judge might find that the increase was “unreasonable.” This could help you defend yourself in a nonpayment eviction case.

However, it will be up to the judge whether or not the rent increase is “unreasonable” in your case. They will take into account any unusual expenses the landlord has had, included property taxes and repairs to your apartment.

Before the Good Cause Eviction Law, unregulated tenants could be evicted at the end of their lease for no reason at all.

Now, if your unit is subject to the new law, your landlord can only evict you if they have “good cause.”

What is “good cause” to evict?

- Nonpayment of rent (unless the rent you haven't paid is an “unreasonable” increase)
- Violation of a substantial obligation of your lease or the landlord's rules
- Causing substantial damage to the property (maliciously or through gross negligence) or making it unsafe for other residents
- Failure to provide reasonable access to your apartment when your landlord needs to make repairs or show the unit for sale or reletting
- Creating/allowing a nuisance or engaging in/allowing illegal activity
- A vacate order has been issued by a city/state agency (unless landlord caused the problem)
- Failure to sign a lease renewal or agree to “reasonable changes” in your lease
- The landlord needs the apartment for their own use or a family member's use (does not apply if you are 65+ or disabled), or is taking it off the rental market or tearing down the building entirely

If you are a breast cancer patient/survivor in NYC and have questions about the Good Cause Eviction Law, or if you have other legal needs, contact the **Legal Wellness**

Institute at **718.789.3841 x 150** or

LWI@thefamilycenter.org

to see if you are eligible for legal assistance through the Maite Aquino Program.

The information in this guide is not legal advice and is not a substitute for consultation with an attorney. No attorney-client relationship is created by receipt of this information.