

STATE OF NEW YORK

9370

2025-2026 Regular Sessions

IN ASSEMBLY

December 19, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the
Committee on Housing

AN ACT to amend the real property law and the real property actions and
proceedings law, in relation to enacting technical changes to the good
cause eviction law

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 7 of section 211 of the real property law, as
2 added by section 1 of part HH of chapter 56 of the laws of 2024, is
3 amended and a new subdivision 9 is added to read as follows:

4 7. The term "inflation index" shall mean five percent plus the annual
5 percentage change in the consumer price index for all urban consumers
6 for all items as published by the United States bureau of labor statis-
7 tics for the region in which the housing accommodation is located, as
8 established for the most recent preceding calendar year as shall be
9 published by the division of housing and community renewal no later than
10 the first of [~~August~~ June in any given year and become effective on the
11 first of October of the same year, provided further that for New York
12 city and any village, town, or city that adopts the provisions of this
13 article by local law pursuant to subdivision one of section two hundred
14 thirteen of this article in the counties of Dutchess, Nassau, Orange,
15 Putnam, Rockland, Suffolk, and Westchester, such consumer price index
16 shall be the New York-Newark-Jersey City, NY-NJ-PA consumer price index,
17 and provided further that for any other village, town, or city that
18 adopts the provisions of this article by local law pursuant to subdivi-
19 sion one of section two hundred thirteen of this article, such consumer
20 price index shall be the Northeast Region consumer price index.

21 9. (a) The term "consummated" shall mean for cooperatives: the trans-
22 fer of title to the apartment corporation and the issuance of shares and
23 a proprietary lease to at least one subscriber under the plan following
24 a declaration of effectiveness by the sponsor and acceptance of the

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 amendment by the department of law confirming or declaring the plan
2 effective.

3 (b) The term "consummated" shall mean for condominiums: filing the
4 declaration of condominium and the first transfer of title to a condo-
5 minium unit to at least one purchaser under the plan following a decla-
6 ration of effectiveness by the sponsor and acceptance of the amendmen-
7 t by the department of law confirming or declaring the plan effective.

8 § 2. Subdivisions 5, 6, 7, 8 and 15 of section 214 of the real proper-
9 ty law, as added by section 1 of part HH of chapter 56 of the laws of
10 2024, are amended to read as follows:

11 5. unit on or within a housing accommodation where such unit is other-
12 wise subject to regulation of rents or evictions pursuant to local,
13 state or federal law, rule, or regulation to the extent such law, rule,
14 or regulation requires good cause for termination or non-renewal of such
15 tenancies;

16 6. unit on or within a housing accommodation where such unit must be
17 affordable to tenants at a specific income level pursuant to statute,
18 regulation, restrictive declaration, or pursuant to a regulatory agree-
19 ment with a local, state, or federal government entity to the extent
20 such statute, regulation, restrictive declaration, or regulatory agree-
21 ment requires good cause for termination or non-renewal of such tenan-
22 cies;

23 7. unit on or within a housing accommodation owned as a condominium or
24 cooperative, or a unit on or within a housing accommodation subject to
25 an offering plan submitted to the office of the attorney general where
26 such plan has been consummated, provided that nothing herein shall abro-
27 gate or otherwise limit any rights or obligations a tenant residing in a
28 unit within a condominium or cooperative or a purchaser, owner, or offer-
29 or of a condominium or cooperative unit has pursuant to any other state
30 law;

31 8. housing accommodation for which a temporary or permanent certif-
32 icate of occupancy was issued on or after the first of January, two
33 thousand nine, for a period of time of thirty years following issuance
34 of such certificate where such building was built immediately prior to
35 the issuance of such certificate;

36 15. unit on or within a housing accommodation where the monthly rent
37 is greater than the percent of fair market rent established pursuant to
38 paragraph (a) of subdivision two of section two hundred thirteen of this
39 article in a local law of a village, town, or city, other than the city
40 of New York, adopting the provisions of this article pursuant to subdivi-
41 sion one of section two hundred thirteen of this article, or two
42 hundred forty-five percent of the fair market rent, provided that fair
43 market rent shall refer to the figure published by the United States
44 department of housing and urban development, for the county in which the
45 housing accommodation is located, as shall be published by the division
46 of housing and community renewal no later than the first of [~~August~~]
47 June in any given year and become effective on the first of October of
48 the same year. The division of housing and community renewal shall
49 publish the fair market rent and two hundred forty-five percent of the
50 fair market rent for each unit type for which such fair market rent is
51 published by the United States department of housing and urban develop-
52 ment for each county in New York state in the annual publication
53 required pursuant to subdivision seven of section two hundred eleven of
54 this article.

55 § 3. Subparagraph (i) of paragraph (a), and paragraph (j) of subdivi-
56 sion 1 of section 216 of the real property law, as added by section 1 of

1 part HH of chapter 56 of the laws of 2024, are amended to read as
2 follows:

3 (i) The tenant has failed to pay rent due and owing, provided however
4 that the rent due and owing, or any part thereof, did not result from a
5 rent increase which is unreasonable. Rent under this section shall be
6 increased no more than one time annually. In determining whether all or
7 part of the rent due and owing is the result of an unreasonable rent
8 increase, it shall be a rebuttable presumption that the rent for a
9 dwelling not protected by rent regulation is unreasonable if said rent
10 has been increased in any calendar year, after the effective date of
11 this article, or after the effective date of the local law in any
12 village, town, or city that enacts such local law to apply this article
13 to such village, town, or city pursuant to subdivision one of section
14 two hundred thirteen of this article, by an amount greater than the
15 local rent standard, provided further that no rent increase less than or
16 equal to the local rent standard shall be deemed unreasonable.

17 (j) The tenant fails to agree to reasonable changes to a lease at
18 renewal, including increases in rent that are not unreasonable as
19 defined in paragraph (a) of this subdivision, as long as written notice
20 of the changes to the lease were provided to the tenant at least thirty
21 days, but no more than [~~ninety~~] one hundred days, prior to the [~~expira-~~
22 ~~tion~~] commencement of the [~~current~~] renewal lease.

23 § 4. Paragraph (a) of subdivision 1 of section 226-c of the real prop-
24 erty law, as amended by section 2 of part HH of chapter 56 of the laws
25 of 2024, is amended to read as follows:

26 (a) Whenever a landlord intends to offer to renew the tenancy of an
27 occupant in a residential dwelling unit with a rent increase equal to or
28 greater than five percent above the current rent, or the landlord does
29 not intend to renew the tenancy, the landlord shall provide written
30 notice as required in subdivision two of this section. The notice shall
31 append or contain the notice required pursuant to section two hundred
32 thirty-one-c of this article, which shall state the following: (i) if
33 the unit is or is not subject to article six-A of this chapter, the
34 "good cause eviction law", and if the unit is exempt, such notice shall
35 state why the unit is exempt from such law; (ii) if the landlord is not
36 renewing the lease for a unit subject to article six-A of this chapter,
37 the lawful basis for such non-renewal; and (iii) if the landlord is
38 increasing the rent upon an existing lease of a unit subject to article
39 six-A of this chapter above the applicable local rent standard, as
40 defined in subdivision eight of section two hundred eleven of this chap-
41 ter, the justification for such increase. If the landlord fails to
42 provide timely notice, the occupant's lawful tenancy shall continue
43 under the existing terms of the tenancy from the date on which the land-
44 lord gave actual written notice until the notice period has expired,
45 notwithstanding any provision of a lease or other tenancy agreement to
46 the contrary. Notwithstanding the foregoing provisions of this para-
47 graph, if a housing accommodation is exempt from article six-A of this
48 chapter under subdivision five or six of section two hundred fourteen of
49 such article and such landlord has provided the tenant with a written
50 lease agreement indicating the law, rule or regulation governing the
51 housing accommodation or a lease which states that rents are regulated
52 and that good cause is required for termination or non-renewal of tenan-
53 cies, such housing accommodation shall be exempt from this paragraph.

54 § 5. Subparagraph F of paragraph 2, the opening paragraph of paragraph
55 3 and subparagraphs E and N of paragraph 4 of subdivision 1 of section
56 231-c of the real property law, as added by section 3 of part HH of

chapter 56 of the laws of 2024, are amended and a new subdivision 2 is added to read as follows:

F. Unit is on or within a housing accommodation owned as a condominium or cooperative, or unit is on or within a housing accommodation subject to an offering plan submitted to the office of the attorney general where such plan has been consummated (exemption under subdivision 7 of section 214 of the Real Property Law) ___;

(This section shall be filled out if this is NOT an initial lease for a new tenant.) IF THIS UNIT IS SUBJECT TO ARTICLE 6-A OF THE REAL PROPERTY LAW, KNOWN AS THE NEW YORK STATE GOOD CAUSE EVICTION LAW, AND THIS NOTICE SERVES TO INFORM A TENANT THAT THE LANDLORD IS INCREASING THE RENT ABOVE THE THRESHOLD FOR PRESUMPTIVELY UNREASONABLE RENT INCREASES, WHAT IS THE LANDLORD'S JUSTIFICATION FOR INCREASING THE RENT ABOVE THE THRESHOLD FOR PRESUMPTIVELY UNREASONABLE RENT INCREASES? (A rent increase is presumptively unreasonable if the increase from the prior rent is greater than the lower of: (a) 5 percent plus the annual percentage change in the consumer price index for all urban consumers for all items as published by the United States Bureau of Labor Statistics for the region in which the housing accommodation is located, as published not later than August 1st of each year by the Division of Housing and Community Renewal; or (b) 10 percent.) (PLEASE MARK AND FILL OUT THE APPLICABLE RESPONSE)

E. The landlord is not renewing the lease because the tenant has failed to pay rent due and owing, the landlord has commenced a nonpayment case against the tenant which is ongoing, and the rent due or owing, or any part thereof, did not result from a rent increase which is unreasonable. A rent increase is presumptively unreasonable if the increase from the prior rent is greater than the lower of: (a) 5 percent plus the annual percentage change in the consumer price index for all urban consumers for all items as published by the United States Bureau of Labor Statistics for the region in which the housing accommodation is located, as published not later than August 1st of each year by the Division of Housing and Community Renewal; or (b) 10 percent (good cause for eviction under paragraph a of subdivision 1 of section 216 of the Real Property Law): ___;

N. The landlord is not renewing the lease because the tenant has failed to agree to reasonable changes at lease renewal, including reasonable increases in rent, and the landlord gave written notice of the changes to the lease to the tenant at least 30 days, but no more than ~~90~~ 100 days, before the current lease expired. A rent increase is presumptively unreasonable if the increase from the prior rent is greater than the lower of: (a) 5 percent plus the annual percentage change in the consumer price index for all urban consumers for all items as published by the United States Bureau of Labor Statistics for the region in which the housing accommodation is located, as published by August 1st of each year by the Division of Housing and Community Renewal; or (b) 10 percent (good cause for eviction under paragraph j of subdivision 1 of section 216 of the Real Property Law):___.

2. Notwithstanding subdivision one of this section, if a housing accommodation is exempt from article six-A of this chapter under subdivision five or six of section two hundred fourteen of such article and such landlord has provided the tenant with a written lease agreement indicating the law, rule or regulation governing the housing accommodation or a lease which states that rents are regulated and that good cause is required for termination or non-renewal of tenancies, such housing accommodation shall be exempt from this section.

1 § 6. Subdivision 2 of section 711 of the real property actions and
2 proceedings law, as amended by section 4 of part HH of chapter 56 of the
3 laws of 2024, is amended to read as follows:

4 2. The tenant has defaulted in the payment of rent, pursuant to the
5 agreement under which the premises are held, and a written demand of the
6 rent has been made with at least fourteen days' notice requiring, in the
7 alternative, the payment of the rent, or the possession of the premises,
8 has been served upon the tenant as prescribed in section seven hundred
9 thirty-five of this article. The fourteen-day notice shall append or
10 contain the notice required pursuant to section two hundred thirty-one-c
11 of the real property law, which shall state the following: (i) if the
12 premises are or are not subject to article six-A of the real property
13 law, the "good cause eviction law", and if the premises are exempt, such
14 notice shall state why the premises are exempt from such law; (ii) if
15 the landlord is not renewing the lease for a unit subject to article
16 six-A of the real property law, the lawful basis for such non-renewal;
17 and (iii) if the landlord is increasing the rent upon an existing lease
18 of a unit subject to article six-A of the real property law above the
19 applicable local rent standard, as defined in subdivision eight of
20 section two hundred eleven of the real property law, the justification
21 for such increase. Notwithstanding the foregoing provisions of this

22 subdivision, if a housing accommodation is exempt from article six-A of
23 the real property law under subdivision five or six of section two
24 hundred fourteen of such article and such landlord has provided the
25 tenant with a written lease agreement indicating the law, rule or regu-
26 lation governing the housing accommodation or a lease which states that
27 rents are regulated and that good cause is required for termination or
28 non-renewal of tenancies, such housing accommodation shall be exempt
29 from this subdivision. Any person succeeding to the landlord's interest
30 in the premises may proceed under this subdivision for rent due such
31 person's predecessor in interest if such person has a right thereto.
32 Where a tenant dies during the term of the lease and rent due has not
33 been paid and the apartment is occupied by a person with a claim to
34 possession, a proceeding may be commenced naming the occupants of the
35 apartment seeking a possessory judgment only as against the estate.
36 Entry of such a judgment shall be without prejudice to the possessory
37 claims of the occupants, and any warrant issued shall not be effective
38 as against the occupants.

39 § 7. Subdivision 5-a of section 741 of the real property actions and
40 proceedings law, as added by section 5 of part HH of chapter 56 of the
41 laws of 2024, is amended to read as follows:

42 5-a. Append or incorporate the notice required pursuant to section two
43 hundred thirty-one-c of the real property law, which shall state the
44 following: (i) if the premises are or are not subject to article six-A
45 of the real property law, the "good cause eviction law", and if the
46 premises are exempt, such petition shall state why the premises are
47 exempt from such law; (ii) if the landlord is not renewing the lease for
48 a unit subject to article six-A of the real property law, the lawful
49 basis for such non-renewal; and (iii) if the landlord is increasing the
50 rent upon an existing lease of a unit subject to article six-A of the
51 real property law above the applicable local rent standard, as defined
52 in subdivision eight of section two hundred eleven of the real property
53 law, the justification for such increase. Notwithstanding the foregoing
54 provisions of this subdivision, if a housing accommodation is exempt
55 from article six-A of the real property law under subdivision five or
56 six of section two hundred fourteen of such article and such landlord

1 has provided the tenant with a written lease agreement indicating the
2 law, rule or regulation governing the housing accommodation or a lease
3 which states that rents are regulated and that good cause is required
4 for termination or non-renewal of tenancies, such housing accommodation
5 shall be exempt from this subdivision.

6 § 8. This act shall take effect immediately; provided, however, that:

7 (a) the amendments to sections 211, 214, 216 and 231-c of the real
8 property law made by sections one, two, three and five of this act shall
9 not affect the repeal of such sections and shall be deemed repealed
10 therewith;

11 (b) the amendments to paragraph (a) of subdivision 1 of section 226-c
12 of the real property law made by section four of this act shall not
13 affect the expiration of such paragraph and shall expire and be deemed
14 repealed therewith;

15 (c) the amendments to subdivision two of section 711 of the real prop-
16 erty actions and proceedings law made by section six of this act shall
17 not affect the expiration of such subdivision pursuant to section 7 of
18 part HH of chapter 56 of the laws of 2024, as amended, and shall expire
19 therewith; and

20 (d) the amendments to subdivision 5-a of section 741 of the real prop-
21 erty actions and proceedings law made by section seven of this act shall
22 not affect the repeal of such subdivision and shall be deemed repealed
23 therewith.