

# STATE OF NEW YORK

8612

2025-2026 Regular Sessions

## IN SENATE

December 12, 2025

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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 Assembly, 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.

LBD00255-02-5

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.