

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.

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

(b) The term "consummated" shall mean for condominiums: filing the declaration of condominium and the first transfer of title to a condominium unit to at least one purchaser under the plan following a declaration of effectiveness by the sponsor and acceptance of the amendment by the department of law confirming or declaring the plan effective.

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

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

6. unit on or within a housing accommodation where such unit must be affordable to tenants at a specific income level pursuant to statute, regulation, restrictive declaration, or pursuant to a regulatory agreement with a local, state, or federal government entity to the extent such statute, regulation, restrictive declaration, or regulatory agreement requires good cause for termination or non-renewal of such tenancies;

7. unit on or within a housing accommodation owned as a condominium or cooperative, or a unit 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, provided that nothing herein shall abrogate or otherwise limit any rights or obligations a tenant residing in a unit within a condominium or cooperative or a purchaser, owner, or offeror of a condominium or cooperative unit has pursuant to any other state law;

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

15. unit on or within a housing accommodation where the monthly rent is greater than the percent of fair market rent established pursuant to paragraph (a) of subdivision two of section two hundred thirteen of this article in a local law of a village, town, or city, other than the city of New York, adopting the provisions of this article pursuant to subdivision one of section two hundred thirteen of this article, or two hundred forty-five percent of the fair market rent, provided that fair market rent shall refer to the figure published by the United States department of housing and urban development, for the county in which the housing accommodation is located, as shall be published by the division of housing and community renewal no later than the first of ~~August~~ June in any given year and become effective on the first of October of the same year. The division of housing and community renewal shall publish the fair market rent and two hundred forty-five percent of the fair market rent for each unit type for which such fair market rent is published by the United States department of housing and urban development for each county in New York state in the annual publication required pursuant to subdivision seven of section two hundred eleven of this article.

§ 3. Subparagraph (i) of paragraph (a), and paragraph (j) of subdivision 1 of section 216 of the real property law, as added by section 1 of

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

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

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

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

(a) Whenever a landlord intends to offer to renew the tenancy of an occupant in a residential dwelling unit with a rent increase equal to or greater than five percent above the current rent, or the landlord does not intend to renew the tenancy, the landlord shall provide written notice as required in subdivision two of this section. The notice shall append or contain the notice required pursuant to section two hundred thirty-one-c of this article, which shall state the following: (i) if the unit is or is not subject to article six-A of this chapter, the "good cause eviction law", and if the unit is exempt, such notice shall state why the unit is exempt from such law; (ii) if the landlord is not renewing the lease for a unit subject to article six-A of this chapter, the lawful basis for such non-renewal; and (iii) if the landlord is increasing the rent upon an existing lease of a unit subject to article six-A of this chapter above the applicable local rent standard, as defined in subdivision eight of section two hundred eleven of this chapter, the justification for such increase. If the landlord fails to provide timely notice, the occupant's lawful tenancy shall continue under the existing terms of the tenancy from the date on which the landlord gave actual written notice until the notice period has expired, notwithstanding any provision of a lease or other tenancy agreement to the contrary. Notwithstanding the foregoing provisions of this paragraph, 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 paragraph.

§ 5. Subparagraph F of paragraph 2, the opening paragraph of paragraph 3 and subparagraphs E and N of paragraph 4 of subdivision 1 of section 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.

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

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

Notwithstanding the foregoing provisions of this subdivision, if a housing accommodation is exempt from article six-A of the real property law 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 subdivision. Any person succeeding to the landlord's interest in the premises may proceed under this subdivision for rent due such person's predecessor in interest if such person has a right thereto. Where a tenant dies during the term of the lease and rent due has not been paid and the apartment is occupied by a person with a claim to possession, a proceeding may be commenced naming the occupants of the apartment seeking a possessory judgment only as against the estate. Entry of such a judgment shall be without prejudice to the possessory claims of the occupants, and any warrant issued shall not be effective as against the occupants.

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

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