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Testimony Before the New York State Senate Committee on Judiciary and Committee on Housing, Construction and Community Development Regarding Good Cause Eviction (S3082)

January 13, 2022

Thank you to Chairs Brad Hoylman and Brian Kavanaugh for holding the January 7 hearing on Senate Bill 3082. My name is Barika Williams and I am the Executive Director of the Association for Neighborhood and Housing Development. (ANHD).

ANHD's mission is to advance equitable, flourishing neighborhoods for all New Yorkers. Founded in 1974, today, ANHD represents 80+ neighborhood-based and city-wide nonprofit organizations with affordable housing and/or equitable economic development as a central component of their mission. We work in coalition with our member groups and partner organizations to support policies and programs that center justice, equity and opportunity for NYC's marginalized communities and neighborhoods. We believe housing justice equals economic justice equals racial justice.

ANHD supports legislation to prohibit eviction without good cause because it will afford rights and protections to the millions of tenants in New York State who live in unregulated buildings, smaller buildings, and manufactured homes. Every tenant in New York should live free from the fear of eviction: either formal, through housing court, or informal, through the landlords' decision not to renew the lease or a sudden rent hike. Rent stabilized tenants benefit from the right to renew their leases and from protections against large rent hikes. S3082 would guarantee almost all New York renters the right to renew the lease with regular annual rent increases, providing a crucial measure of stability and housing security for families across our state.

HPD's most recent Housing and Vacancy Survey found that 42.9% of New York City's rental stock is private and non-regulated, meaning that **937,000 households are currently subject to arbitrary rent increases and lease terminations.**¹ According to analysis by the Community Service Society, 1.6 million renter households statewide are currently vulnerable to no-fault evictions and would be eligible for good cause protections.²

The current lack of regulation in many rental units undermines millions of New Yorkers' ability to assert their rights to repairs or against harassment. All tenants have rights to a safe and habitable home. But many endure a lack of heat, mold, disrepair, and harassment because they fear – for good reason – that if they demand better conditions and assert their rights, their landlord will retaliate by not renewing their lease or imposing an impossible rent hike. Good

¹ <https://www1.nyc.gov/assets/hpd/downloads/pdfs/about/2017-hvs-initial-findings.pdf>, Table 3.

² <https://www.cssny.org/news/entry/good-cause-eviction-legislation-protect-rental-households-tenants>

cause legislation will keep those tenants safely in their homes while guaranteeing protections that existing laws should offer them.

Since the beginning of the pandemic, there have been over 22,750 holdover cases filed against tenants in New York State,³ and these eviction proceedings disproportionately impact people of color. **From 2016 to 2021, the rate of holdover filings in majority-people of color zip codes in New York State was 87% higher than majority white zip codes.**⁴ Many of these tenants pay their rent on time, comply with the terms of their lease, and want to safely stay in their homes. Good cause would give them the right to do so.

S3082 would reinstate rights to lease renewals to tenants of the over 170,000 apartments in New York City that were deregulated due to high rent vacancy deregulation between 1994 and 2020.⁵ Such a step would amplify the impact of the 2019 Housing Stability and Tenant Protection Act, the boldest and most historic package of tenant protections in decades.

Lobbyists representing landlord interests have argued against this legislation by claiming that it does not solve all of New York's housing problems. That is of course true – requiring good cause for evictions is only one piece of the puzzle. **We need other measures as well in order to ultimately ensure that all New Yorkers have access to decent, safe, and dignified homes: statewide right to counsel, adequate rent assistance that meets the scale of the need, and a 5-year housing plan that creates a robust supply pipeline and centers mission-driven development, among others.** However, S3082 is a necessary step towards that goal, and ANHD calls on the legislature to pass this critically important component of solving New York's housing crisis.

Thank you for the opportunity to submit testimony. If you have any questions or for more information please contact Barika Williams at Barika.W@anhd.org.

³ Data from the Office of Court Administration via the Housing Data Coalition in collaboration with the Right to Counsel Coalition: <https://github.com/housing-data-coalition/oca>. This figure includes New York State cities and does not include towns and villages that do not report case data to OCA. Based on available data, ANHD estimates that approximately 7.4% of holdover cases are commercial rather than residential, which is accounted for in this estimate.

⁴ Data from OCA and Census American Community Survey, 2019 5-year estimates. There were 4.7 holdover filings from 2016 through 2021 per 100 renter households in New York State zip codes with a majority white population and 8.8 holdover filings per 100 renter households in New York State zip codes with a majority people of color population. A table of data used to produce this analysis is available at <https://datawrapper.dwcdn.net/L2Dhp/3/>.

⁵ <https://rentguidelinesboard.cityofnewyork.us/wp-content/uploads/2021/06/2021-Changes.pdf>, Table 6, p.16.