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Understanding Good Cause Eviction Laws in New York: Essential Information for Landlords

As the legal landscape for landlords in New York evolves, it's crucial to stay informed about Good Cause Eviction laws. These regulations impact lease agreements, renewals, and tenant interactions. This newsletter focuses on Good Cause Eviction, required notice provisions, and the current adoption status in Westchester County. Additionally, we offer guidance on incorporating appropriate language into your lease agreements.

What Is Good Cause Eviction?

Good Cause Eviction laws are designed to protect tenants from unjust lease terminations and excessive rent increases. Under these laws, landlords must provide a legally valid reason—"good cause"—to evict a tenant or refuse a lease renewal. Common grounds for good cause include:

- Nonpayment of rent
- Violation of substantial lease terms
- Nuisance behavior or illegal activities

These laws also often limit the amount by which rent can be increased annually, requiring landlords to justify increases above a certain threshold.

Required Notices for Leases and Renewals

In jurisdictions where Good Cause Eviction laws are enacted, landlords must adhere to specific notice requirements:

Initial Leases and Renewals

- Include clauses that outline the conditions under which a lease can be terminated or not renewed.
- Inform tenants of their rights under Good Cause Eviction laws, including protections against unjust evictions and unreasonable rent increases.

Notices of Non-Renewal or Rent Increases Above the Threshold

- Provide advance written notice when intending to increase rent by more than the allowable threshold or choosing not to renew a lease.
- A rent increase is presumed unreasonable if it is above the inflation index or 10%, whichever is lower.
 - For New York City, the inflation index is defined as 5% plus the annual percentage change in the consumer price index for

all urban consumers for all items, as published by the U.S. Bureau of Labor Statistics for New York-Newark-Jersey City.

- Notice periods are typically based on the length of tenancy:
 - 30 days for tenants who have occupied the unit for up to one year.
 - 60 days for tenants who have occupied the unit for one to two years.
 - 90 days for tenants who have occupied the unit for more than two years.

Adoption Status in Westchester County

- When Good Cause Eviction was passed as part of the state budget in April, it took effect immediately for properties in New York City.
- Outside of New York City, the law does not take effect unless a city, town, or village specifically passes an ordinance opting into the law.
- To date, no municipalities in Westchester, Rockland, and Putnam Counties have adopted the law. Statewide, only five municipalities have opted in.

Incorporating Good Cause Language into Lease Agreements

To ensure compliance and protect your interests, consider including the following sample clause in your lease agreements:

"This lease may only be terminated or not renewed for 'good cause,' as defined by applicable state and local laws. Good cause includes, but is not limited to, nonpayment of rent, substantial violations of lease terms, or illegal activities. Rent increases will comply with all relevant regulations and will not exceed limits established by law without proper justification."

Additionally, here is a [Good Cause Eviction Law Notice](#) landlords can use as a template to notify tenants of their rights and any intended actions, such as rent increases or lease terminations.

This language helps clarify the conditions under which a lease can be terminated or not renewed, aligning with Good Cause Eviction principles.

How We Can Assist

At James G. Dibbini & Associates, P.C., we are committed to helping landlords navigate these complex regulations. Our services include:

- Lease Drafting and Review: Ensuring your lease agreements contain necessary provisions to comply with current laws.
- Notice Preparation: Assisting in the creation of compliant notices for rent increases, non-renewals, or terminations.
- Legal Guidance: Keeping you informed about legislative developments and advising on best practices to mitigate risks.
- Representation: Providing legal defense in disputes arising from Good Cause Eviction claims.

If you have any questions or need assistance, please don't hesitate to contact us at (914) 240-8270 or jdibbini@dibbinilaw.com. We look forward to working with you to ensure the success of your investment property.

The attorneys at James G. Dibbini & Associates, P.C. collectively have over 50 years of experience providing legal services in the areas of:

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