

# CITY OF KINGSTON

## Office of Housing Initiatives

Bartek Starodaj, Director



Steven T. Noble, Mayor

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### Kingston Good Cause Fact Sheet

Kingston's Good Cause Eviction was passed by the Kingston Common Council and signed into law by Mayor Steve Noble on July 12, 2024.

[Link to Local Law 5 of 2024 – Prohibiting Eviction Without Good cause](#)

The following fact sheet provides an introduction to the Good Cause Eviction Law in Kingston, New York. To view the full statute, [see SECTION 231-C of NYS Real Property Law here](#).

#### Why?

The legislation provides housing security and stability to Kingston tenants by limiting the grounds upon which a landlord can evict a tenant. The legislation also provides guidance for landlords on the items that are considered "good cause" for eviction and sets guidelines for "reasonable" rent increases.

#### Which buildings does it impact?

Under Local Law 5 of 2024, Good Cause Eviction applies to any housing unit owned by a landlord that owns two or more housing units anywhere in New York State.

Per State Law, the following housing units are exempt from Good Cause Eviction:

- A housing unit that has a monthly rate above three hundred percent of fair market rent as published by the US Dept of Housing and Urban Development
- A housing unit that is located in an owner-occupied housing accommodation with no more than 10 units
- A housing unit that is rent regulated by another local, state, or federal law or is part of a regulatory agreement with a local, state, or federal entity
- A housing unit that is part of a transient use such as vacation rentals or short term rentals
- Sublets
- New housing units and any housing unit built after 2009

#### How does it work?

The legislation outlines new defenses tenants can use to prevent an eviction without "good cause."

Grounds for removal of a tenant include:

- The tenant is residing in a housing unit that is exempt from Good Cause Eviction (see above)
- The tenant owes rent, provided that the rent being owed did not result from an unreasonable rent increase

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- The tenant is in substantial violation of their written lease
- The tenant is committing a nuisance in the housing unit, e.g., damaging property or interfering with the comfort and safety of others, or using the property for illegal purposes
- The tenant is occupying the unit in violation of a local vacate order and a judge finds that curing this violation requires the tenant to leave and that the landlord did not create the condition necessitating the vacate order
- The tenant is unreasonably refusing the landlord access to the unit for necessary repairs or for showing the premises to any person with a legitimate interest in the premises
- The landlord seeks to recover the unit for personal use
- The landlord seeks in good faith to demolish the property or remove the unit from market with clear and convincing evidence
- The tenant fails to agree to reasonable changes to lease

### **How does it impact rent increases?**

Under the local law, a rent increase is presumptively unreasonable if the increase from the prior rent is (a) five percent plus the annual percentage change in the consumer price index as [published by the Division of Homes and Community Renewal](#) (b) 10 percent.

The legislation requires landlords to justify any rent increases over the thresholds set in the local law before a court will order an eviction for past-due rent.

### **I'm a landlord – how does this legislation impact me?**

You must prove one of the above grounds for a legal eviction of a tenant before a judge. The judge will decide if an eviction is for a good cause.

A landlord that is subject to Good Cause Eviction shall also include a notice into any initial or renewal lease on the applicability or inapplicability of the New York State Good Cause Eviction Law ([see § 231-c.](#))

### **I'm a tenant and I believe my rights under this legislation have been violated or I need to speak to someone to better understand my rights. What should I do?**

To understand how Good Cause Eviction may apply to your situation, contact legal counsel. Qualifying tenants may call the Kingston office of Legal Services of the Hudson Valley for [the City of Kingston Right to Counsel Program](#) at 845-331-9373 ext. 500 to conduct an intake. For an in-person intake, visit LSHV's Kingston office, M-F, 9-5, at 550 Aaron Court.