

**LOCAL LAW 5 OF 2024 OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK PROHIBITING EVICTION WITHOUT GOOD CAUSE**

Sponsored By: Laws & Rules Committee: Alderman Hirsch, Scott-Childress, Pasti, Dennison, Mickens

**WHEREAS** in January of 2022, The Common Council of the City of Kingston, New York passed Local Law 1 of 2022 Authorizing the Amendment to Chapter 332 of the Code of the City of Kingston entitle “Rental Properties: to Prohibit Evictions Without Good Cause; and

**WHEREAS** in March of 2023, the Appellate Court of the Third Division of New York State struck down the City of Albany’s local Good Cause Eviction Law due based on state preemption; and

**WHEREAS** In response to the Appellate Court of the Third Division of New York State, in April 2023; The Common Council of the City of Kingston, New York repealed Local Law 1 of 2022 “Rental Properties: to Prohibit Evictions Without Good Cause, leaving thousands of Kingston tenants without rental protections; and

**WHEREAS** Renters in the City of Kingston, especially low and moderate income renters are increasingly faced with the refusal of landlords to continue to rent to otherwise credit-worthy tenants and tenants who are otherwise following all applicable laws; and

**WHEREAS** Non-Renewal of a lease agreement often serves an implied threat against tenants who may be afraid to seek improvements to their domicile or address ongoing maintenance issues obligated to be addressed by the property owner, leading to a severe imbalance of power between tenant and property owner; and

**WHEREAS** Pursuant to §213- 2(b) of Article 6-A of the Real Property Law of the State of New York, the City of Kingston defines “small landlord,” for purposes of this Part, to mean a landlord of no more than one unit anywhere in the State of New York; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:**

**SECTION 1.** The City of Kingston Adopts §213- 2(a) of Article 6-A of the Real Property Law of the State of New York.

**SECTION 2.** The City of Kingston Establishes Chapter 331 of the City Code “Residential Rentals Prohibiting Eviction Without Good Cause.”

**SECTION 3.** The City of Kingston Pursuant to §213- 2(b) of Article 6-A of the Real Property Law of the State of New York, the City of Kingston defines “small landlord,” for purposes of this Part, to mean a landlord of no more than one unit anywhere in the State of New York.

**SECTION 4.** Pursuant to §213- 2(a) of Article 6-A of the Real Property Law of the State of New York, the City of Kingston provides that any unit on or within a housing accommodation shall be exempt from the provisions of this article if it has a monthly rate above three hundred percent of fair market rent as published by the United States Department of Housing and Urban Development and as shall be published for the County of Albany by the New York State Division of Housing and Community Renewal.

**SECTION 5.** If any provisions of this local law are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the local law shall remain in effect.

**SECTION 6.** This Local Law shall take effect upon filing with the Secretary of State.

Submitted to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2024

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Elisa Tinti, City Clerk

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2024