

A Local Law Adopting Good Cause Eviction Protections in the City of Ithaca

WHEREAS, Article 6-A of the Real Property Law of the State of New York authorizes a municipality, acting through its local legislative body, to adopt the provisions of New York's Good Cause Eviction Law by enacting a local law; and

WHEREAS, the Common Council of the City of Ithaca desires to afford tenants within the City with the protections authorized by state law; and

WHEREAS, Section 213 of the Real Property Law of the State of New York authorizes municipalities to vary certain default provisions of the Good Cause Eviction Law by local law; now therefore,

BE IT ENACTED by the Common Council of the City of Ithaca as follows:

Local Law No. 2024 –

Section 1. Legislative Findings, Intent, and Purpose

The Common Council makes the following findings:

1. The Common Council recognizes and values the rights of the many City residents who make their homes in rental properties.
2. The Common Council finds that the statewide Good Cause Eviction Law appropriately balances the rights of tenants and property owners and that adopting its provisions would protect tenant rights without unduly burdening the local rental market.
3. The Common Council finds that the default percentage of fair market value used to calculate the exemption threshold of the statewide Good Cause Eviction law does not appropriately reflect the rental market conditions of the City of Ithaca and should be adjusted as permitted by law.
4. The Common Council finds that the default definition of “small landlord” in the statewide Good Cause Eviction law does not appropriately reflect the rental market conditions of the City of Ithaca and should be adjusted as permitted by law.

Based upon the above findings, the intent and purpose of this Local Law is to opt in to the Good Cause Eviction Law set forth at Article 6-A of the Real Property Law of the State of New York upon the terms described herein.

Section 2. Code Amendment

Chapter 258 of the Ithaca City Code, “Rental Housing,” is hereby amended to add a new Article IV thereof, as follows:

ARTICLE IV Good Cause Eviction

Section 258-14 Short Title

This Article may be cited as the “Good Cause Eviction Law.”

Section 258-15 Purpose

The purpose of this Article is to establish good cause eviction protections in the City of Ithaca pursuant to and in accordance with the provisions of Article 6-A of the Real Property Law of the State of New York.

Section 258-16 Good Cause Eviction Protections Established

- A. Except as otherwise provided in this Article, all provisions set forth in Article 6-A of the Real Property Law and any amendments thereto are hereby adopted by the City of Ithaca.
- B. Pursuant to Section 213(2)(a) of the Real Property Law, for the purposes of this Article and notwithstanding any default provision to the contrary, any unit on or within a housing accommodation shall be exempt from the provisions of this Article if such unit has a monthly rent above 345% of fair market rent, as calculated as provided in Article 6-A of the Real Property Law.
- C. Pursuant to Section 213(2)(b) of the Real Property Law, for the purposes of this Article and notwithstanding any default provision to the contrary, the City of Ithaca defines “small landlord” to mean a landlord of no more than one unit anywhere in the state of New York.
- D. This Article shall be enforceable as set forth in Article 6-A of the Real Property Law.

Section 3. Severability Clause.

Severability is intended throughout and within the provisions of this Local Law. If any section, subsection, sentence, clause, phrase, or portion of this Local Law is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Local Law.

Section 4. Effective Date.

This Local Law shall be effective immediately upon filing in the office of the Secretary of State.