

FACT SHEET: Good Cause Eviction

No Good Cause, No Rent Pause: In the Wake of Government Inaction, Rents Keep Rising

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Introduction

New York City's housing affordability crisis is reaching new heights. Last year, in a report entitled [Good Cause for Alarm](#), we documented the rising crisis for tenants living outside the public, subsidized and rent regulated housing systems. Alongside dozens of tenants' rights groups, we called on the state legislature to pass a bill known as [Good Cause](#) (S305/Salazar, A4454/Hunter), an [increasingly popular](#) policy that would bar no-fault evictions and allow market-rate tenants to challenge rent gouging behavior by their landlords. While the bill garnered a significant amount of support, it was never brought to a vote. Tenants were left unprotected, and today we are living with the predictable result: unchecked rent increases, rising

rent burdens, ongoing evictions, and worsening housing conditions. Despite population decline and new construction since 2020, rents are at record highs, with median New York City asking rent hitting \$3,500, as of December 2023.

The 2023 Unheard Third Survey, the latest in our long-running series polling low-income New Yorkers about their experiences, opinions and concerns, documents some of the fallout in New York City from the state's failure to pass Good Cause or other meaningful tenant protections and rental subsidies. On nearly every metric, the issues we called attention to in 2022 have turned more severe in 2023.

Who Are Market-Rate Renters?

In New York City, the term "market-rate renter" encompasses an extremely wide swath of society, ranging from [one particularly famous tenant](#) paying \$150,000 to live in a TriBeCa penthouse to thousands of extremely low-income [New Yorkers crowded](#) into small and sometimes unsafe apartments in buildings that don't meet the parameters of rent stabilization, with millions of

middle-income tenants falling somewhere between these poles. Wealthy market-rate tenants tend to get more attention in the press, but the low-income market-rate tenants make up a large and growing portion of our housing system.

According to the 2021 [New York City Housing and Vacancy Survey](#), the most recent and comprehensive

data available about the city's housing stock, about 283,100 households that earn less than 200 percent of the Federal Poverty Level live in market-rate rentals. The median market-rate renter earned [73 percent of the Area Median Income](#) (AMI), higher than tenants in affordable housing but below the 80 percent AMI threshold the city's Department of Housing Preservation and Development uses to count a household

as low-income. Thirty-five percent of market-rate tenants are immigrants, the second highest rate in any segment of New York's housing stock after rent regulated apartments, and 61 percent of market-rate renters are people of color.

Our 2023 Unheard Third survey shows how much conditions have worsened for market-rate renters in the past year, because of inaction on Good Cause.

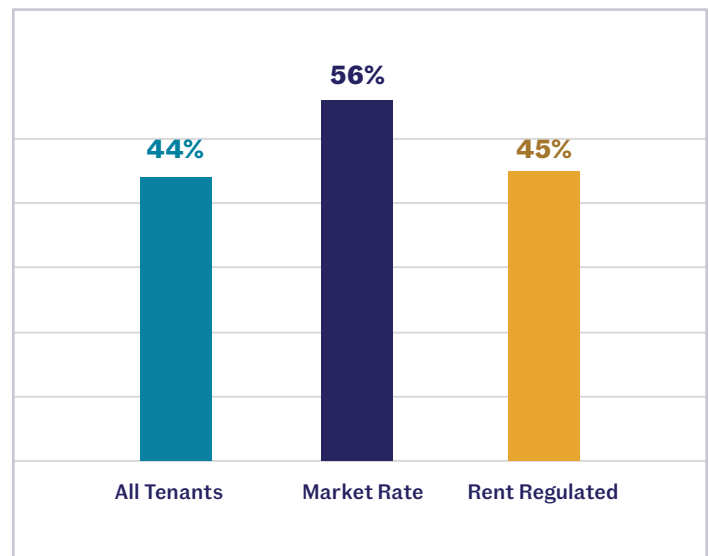
Rising Rents

Fifty-six percent of market-rate tenants said they faced rent hikes, 12 points higher than tenants overall, and 11 points higher than rent regulated tenants.

Market-rate tenants are increasingly more likely to experience rent increases, compared to everyone else. Between 2022 and 2023, the gap between market-rate tenants and tenants overall went up by 10 percentage points, from a difference of two percentage points to twelve.

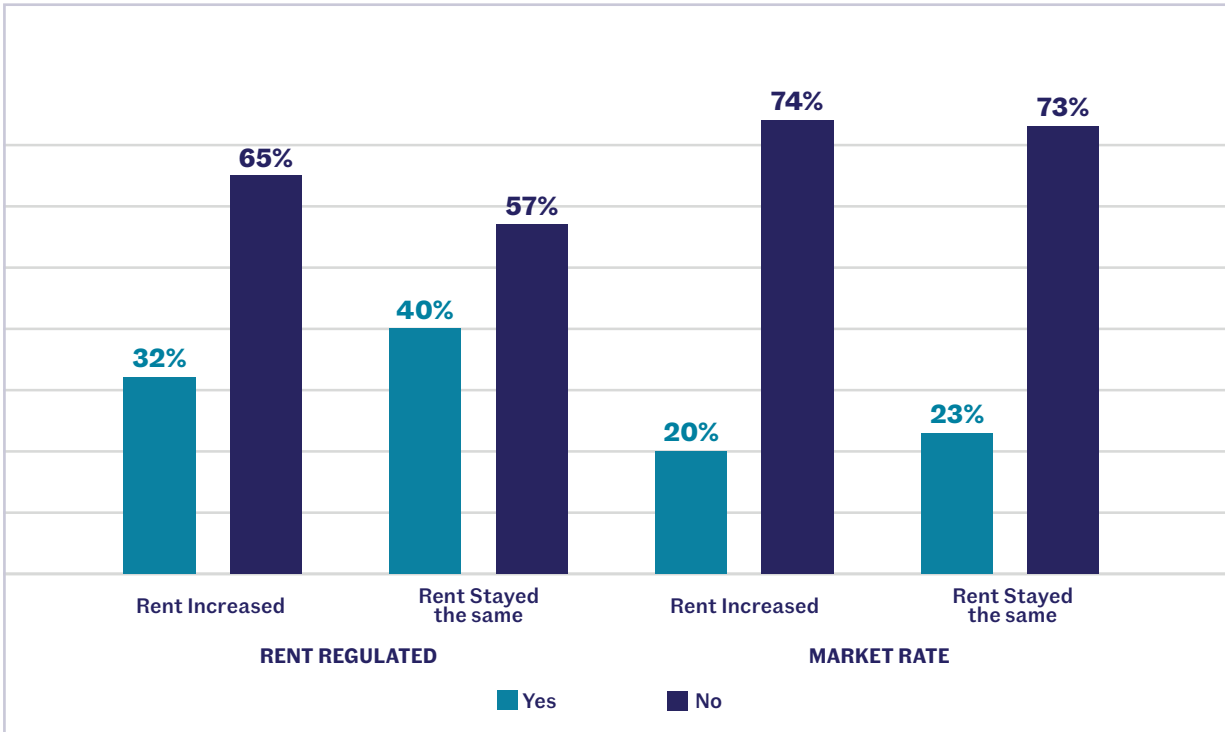
This data is in line with reports from brokerage firms about rent trends in the past year. Elliman, for example, [reported in September 2023](#) that Brooklyn rents were 5.9 percent higher than the previous year, Manhattan rents were 8.2 percent higher, and northwest Queens rents were 10.3 percent higher.

Did Your Rent Increase in the Past Year?



Fewer Improvements

Did your landlord or building maintenance make any improvements to your apartment or building in the past year?



[Last year](#), we reported that rent regulated tenants whose rents rose were more likely to report that improvements had been made to their apartment or building than market-rate tenants. One possible reason for this is that some rent increases in rent regulated apartments, like Major Capital Improvements, are premised specifically on the landlord claiming that they are making substantial improvements to their property. Market-rate landlords, on the other hand, can simply raise rents because of market conditions, entirely unrelated to whether or not they improved their buildings.

Overall, fewer private tenants – whether regulated or market-rate – said they saw improvements to their housing. In 2023, just 23 percent of market-rate tenants reported improvements to their apartment

or building, compared to 36 percent of rent-stabilized tenants. While both groups saw this rate go down compared to last year, the decline was steeper for market-rate tenants at 13 percentage points than for rent regulated tenants at 8 percentage points.

Our most striking finding this year is the lack of a relationship between rent increases and apartment improvements within the open rental market. Twenty percent of market-rate renters whose rents rose reported improvements compared to 23 percent among those whose rents stayed the same. The Unheard Third therefore provides no evidence to suggest that rising rents are caused by or are leading to rising housing quality for market-rate tenants – and this finding stands for other housing types besides market-rate tenants.

Falling Behind

As rents rose and conditions failed to improve, more and more market-rate tenants were in distress. Thirty-five percent of all market-rate tenants including moderate- and middle-income tenants—said that they were already behind on rent or were about to fall behind. Low-income market-rate renters were the most likely to struggle to pay rent and thus particularly at risk of eviction, with 43 percent already behind on rent or expecting to fall behind soon.

Meanwhile, in a housing stock already prone to overcrowding, one in five market-rate renters said they would likely have to move in with other people to afford rent. At 20 percent, market-rate renters ranked highest among housing typologies on this question, tied only with public housing residents.

Had to Move in with Others because of Financial Problems



Good Cause Now

New York tenants are paying the price for the legislative logjam on housing. Without crucial action, the crisis in tenants' rights and affordability will only get worse each year. The legislature must act now to pass [Good Cause](#) (S305/Salazar, A4454/Hunter) alongside other important bills that will offer rental assistance (like the [Housing Access Voucher Program](#), S2804B/Kavanagh, A3701/Rosenthal), curb evictions (like statewide [Right to Counsel](#), S2721/May, A1493/Joyner), and create pathways to social housing (like the [Tenant Opportunity to Purchase Act](#), S221/Myrie, A3353/Mitaynes).

ABOUT THE UNHEARD THIRD SURVEY

The 2023 Unheard Third is a scientific telephone survey of 1,758 New York City adult residents reached by cell phones and landlines from July 6th through August 7th, 2023. It was designed by Community Service Society in collaboration with Lake Research Partners, who administered it using Random Digit Dialing and professional interviewers. The sample included 1,113 low-income residents (up to 200% of federal poverty standards, or FPL), and 645 moderate and higher-income residents (above 200% FPL). Interviews were conducted in English, Spanish, and Chinese. The margin of error for the entire survey is +/- 2.3 percent, for the low-income component is +/- 2.9 percent, and for the higher-income component is +/- 3.9 percent, all at the 95% confidence interval. For further information on the survey please reach out to Emerita Torres at etorres@cssny.org.