

WINTER EVICTION MORATORIUM

(A.10121 / S.9090)

APRIL 2026

The Winter Eviction Moratorium Act (A.10121 / S.9090) would pause the execution of residential evictions statewide between November 1 and April 15, when eviction and homelessness pose the greatest risk to health and life. The bill would allow eviction filings and housing court cases to proceed in the winter months, but pause the execution of eviction warrants.

This bill is responding to the growing threat of extreme cold weather, as New York State feels the impacts of climate change, while still struggling with an acute homelessness crisis.

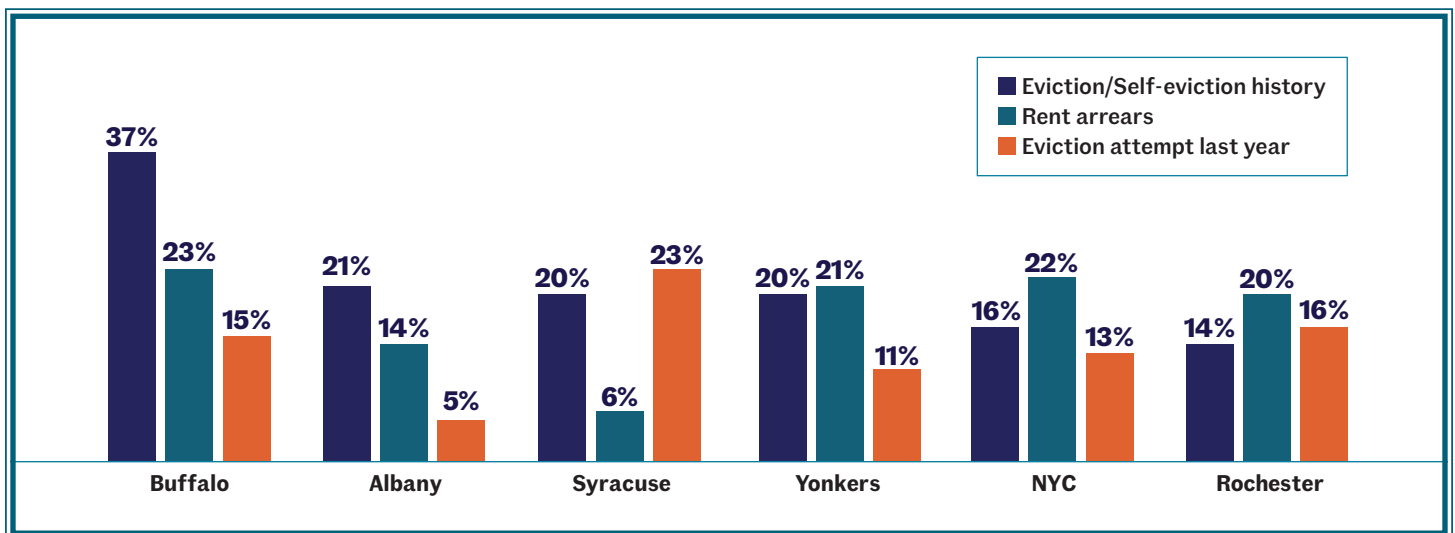
In 2024, the Community Service Society of New York (CSS) surveyed residents across the state to better understand eviction trends. We found that tenants living outside of New York City were more likely to face evictions than those within the city. For example, nearly

23 percent of tenants surveyed in Syracuse reported an eviction attempt that year—10 percentage points higher than in New York City and statewide.

Nearly a fourth (23 percent) of tenants in Buffalo, and about one-fifth in Rochester, NYC, and Yonkers had rent arrears in 2024, and were vulnerable to an eviction.

Black and Latino tenants were overrepresented among respondents who had experienced evictions: Fourteen percent of Black households in our survey experienced an eviction attempt in 2024, compared to 9 percent of white households. Respondents who identified as Latino in our statewide survey were more than twice as likely to have experienced an eviction attempt that year (22 percent), compared to non-Latino respondents (10 percent).

Eviction Trends Among NYS Tenants in 2024



Source: CSS analysis of 2024 Annual Survey of Housing and Economic Security data.

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POTENTIAL IMPACT

Landlords filed 79,000 evictions across New York State between November 2024 and April 2025, while the court system issued 41,600 eviction warrants.¹ If passed, the Winter Eviction Moratorium would:

- Protect tenants from being displaced from their homes during the coldest months.
- Provide additional time for both tenants and landlords to agree to repayment plans and pursue rental assistance, ultimately preventing tenant displacement.
- Curtail serial eviction filings that overload civil and housing courts, which are used by landlords to both discourage tenants from organizing and to extract additional profit through junk fees.²
- Complement other types of eviction protections, like Right to Counsel in New York City and the Eviction Diversion Initiative in Brooklyn and Suffolk housing courts, which is currently being expanded to Syracuse and Rochester.³

CONTEXT

Two cities in Washington State have enacted comparable winter eviction laws over the past few years. Seattle passed the Winter Eviction Protection Law⁴ in February 2020, inspired by a 2018 Seattle’s Women’s Commission study that showed that 38 percent of households who were evicted became homeless.⁵

The law allows tenants earning under 80 percent of Area Median Income (AMI) to petition the court to pause their eviction between December and March. The Winter Eviction Protection Law covers both non-payment and holdover eviction cases. There are some exemptions, including cases where a landlord is renting an uninhabitable unit or if a tenant is using the unit for criminal activity or creating an imminent hazard.⁶

Like New York City, Seattle has a Right to Counsel law. Legal service providers often use the winter eviction defense to buy their clients time to pay off rent arrears or find another suitable place to live.

Additionally, Seattle has a necessary school year eviction defense, which applies to tenants with children in daycare through high school, pausing their evictions from September to June.⁷

Crucially, Seattle’s Winter Eviction Protection Law survived a court challenge from the Rental Housing Association Of Washington.⁸ The landlord group argued that the law was preempted by the state, constituted a taking in violation of the state constitution, and “violated the privileges and immunities clause because they favor the rights of tenants over the rights of landlords.” The court did not find these arguments valid, and upheld the law.⁹

In 2023, the City of Tacoma passed the Landlord Fairness Code Initiative, which established new rules around non-rent fees, code enforcement penalties, health and safety requirements and evictions.¹⁰ Tacoma for All, an organization that advocated for the initiative, called on the city to “disrupt the

eviction-to-homelessness pipeline – especially in the deadly winter months.”¹¹

Tacoma’s winter eviction ban is complementary to the city’s rental code and Washington State’s rent law, which caps rent increases at 7 percent above annual inflation.¹²

The Landlord Fairness Code prohibits evictions in Tacoma between November 15 and March 15, with exemptions for apartments that are condemned by the city, as well as in-apartment criminal activity or the creation of hazardous

conditions by the tenant. It applies to all tenants, without means-testing. Like Seattle, Tacoma also adopted a pause on school year evictions, both for tenants with children and for educators.¹³

Building on the laws in place in Tacoma and Seattle, New York should adopt a winter eviction moratorium for all tenants, and a complementary school-year eviction moratorium for educators and households with school-aged children.

ENDNOTES

1. 2024-2025 eviction filings and eviction warrant data from NYS Unified Court System’s Eviction Dashboard
2. Lillian Leung, Peter Hepburn, and Matthew Desmond. “[Serial Eviction Filing: Civil Courts, Property Management, and the Threat of Displacement.](#)” *Social Forces*, September 2021.
3. “[Eviction Prevention Gets a Boost in New York,](#)” *Center for Justice Innovation*, April 7, 2026.
4. King County Bar Association and Seattle Women’s Commission. “*Losing Home: The Human Cost of Eviction in Seattle,*” 2018.
5. City of Seattle [Ordinance 12604.](#)
6. “[Renting in Seattle: Defenses to Eviction,](#)” The City of Seattle.
7. “[Renting in Seattle: Defenses to Eviction,](#)” The City of Seattle.
8. [Rental Housing Association of Washington v. City of Seattle.](#)
9. Holmquist + Gardier. “[Update on RHAWA’s Appeal Challenging the City of Seattle’s Eviction Ordinances,](#)” August 2022.
10. Tacoma Municipal Code, [Chapter 1.100.](#)
11. Tacoma for All, “[Our History.](#)”
12. Tacoma Municipal Code, [Chapter 1.95;](#) Jake Goldstein-Street, “[Cap on rent increases across Washington is signed into law,](#)” *Washington State Standard*, May 7, 2025.
13. “[Renting in Tacoma: Landlord Fairness Code Initiative and Rental Housing Code,](#)” *City of Tacoma: Office of Equity & Human Rights*, December 4, 2023.

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