

BRIEF

New Yorkers Deserve REST and Relief: Data Show a Statewide Housing Crisis

OKSANA MIRONOVA AND SAMUEL STEIN

Rent stabilization is a cost-effective policy for protecting tenants at risk of displacement. New York State’s rent stabilization system—codified with the implementation of the Emergency Tenant Protection Act (ETPA) in 1974¹—provides stability and tenure protections to nearly a million households in New York City, as well as select localities in Nassau, Westchester, and Rockland counties. In these cities and towns, rent stabilization has a broad, positive impact: slowing down evictions and other types of displacement, stabilizing neighborhoods, and keeping New Yorkers in their homes.²

There is growing evidence of the need for sweeping public intervention for housing affordability. Drawing on responses from 919 tenants from across New York State outside New York City, our 2025 Annual Survey of Housing and Economic Security shows widespread housing insecurity among respondents of all incomes.

The survey data illustrate the depth of housing insecurity facing tenants, highlighting the extent of rent burden, reliance on informal support, and persistent quality issues—conditions that put many at ongoing risk of displacement.

NYS Tenants	
65%	reported one or more persistent housing quality issues
49%	reported not being able to make ends meet or barely getting by
45%	needed (non-government) help paying rent or utilities
23%	had rent arrears

In 2019, the Housing Stability and Tenant Protection Act (HSTPA)³ allowed any locality to opt into the state’s rent stabilization system for the first time.⁴ Despite this key legal change, many tenants across New York State remain unprotected, even though the vast majority of the State’s residents—81 percent, according to our 2024 survey—would like to see rent stabilization enacted in their communities.⁵ One barrier is the array of exemptions written into the ETPA, which exclude many buildings built before 1974 and those with fewer than six apartments. The unit threshold does not account for low-rise rental markets common across the state. The 1974 exemption may have made sense in the first five to 15 years of the law’s existence. However, most rent regulation ordinances adopted in the past ten years—including those in St. Paul,

Minnesota; Montgomery County, Maryland; and the State of Oregon—set a *rolling* new construction exemption, rather than writing a *fixed* date into a state law.⁶

The second barrier is the ETPA’s requirement for cities and counties to demonstrate a narrowly defined housing emergency by showing a vacancy rate of five percent or less. This statute requires cities to manage and run a housing vacancy survey every few years. In smaller cities, the cost and complexity of this requirement have become weapons wielded by landlords to block rent stabilization’s expansion.

In Newburgh and Poughkeepsie, for example, city governments voted to opt into rent stabilization after 2019, spending thousands of dollars on vacancy studies that ultimately showed low vacancy rates. Lacking the tools to challenge rent stabilization on substantive grounds, however, landlords turned to legal challenges of vacancy study methodologies, weaponizing bureaucracy to block a law that would regulate their rental properties.⁷

Kingston opted into the ETPA in 2022, only to be sued by the Hudson Valley Property Owners Association, which alleged that the vacancy study was flawed.⁸ The case wound its way through the state’s judicial system until in 2025, the NYS Court of Appeals upheld Kingston’s research methodology and its right to regulate its rents. In 2026, Kingston’s rent stabilization ordinance was

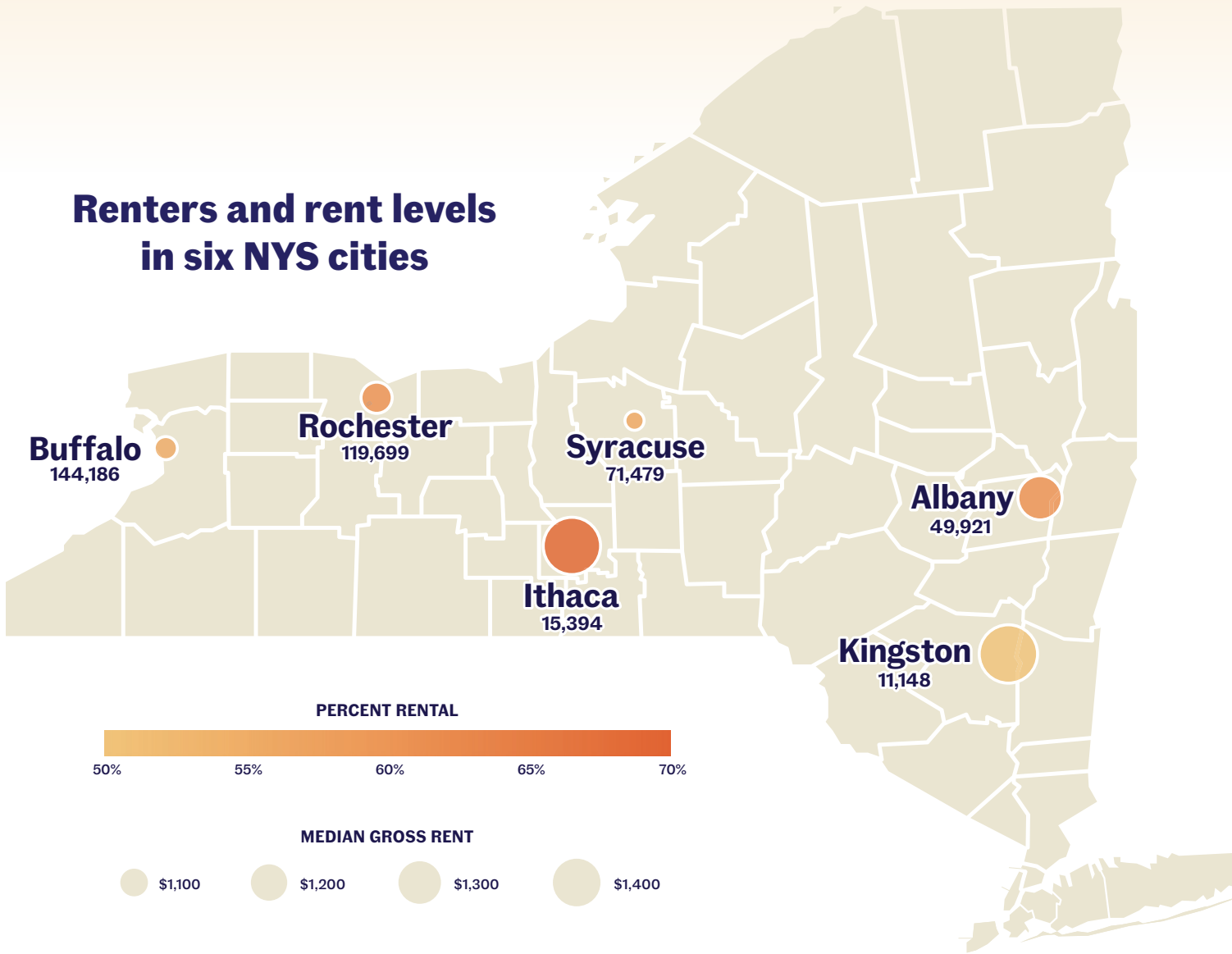
once again in jeopardy, after the city’s mayor used a new vacancy study’s methodological ambiguity to block the city’s participation in the state’s rent stabilization system.⁹

These lawsuits have prevented the immediate expansion of rent stabilization in the Hudson Valley, where rents continue to skyrocket. They have also had a chilling effect on other cities and counties in the state. Cash-strapped municipalities are reluctant to move forward with their own rent stabilization opt-in processes, knowing that their vacancy studies will be challenged in the courts.

There is no methodological reason for limiting the definition of a housing emergency to one formula. The Rent Emergency Stabilization (REST) Act¹⁰ will allow localities to use a wider range of publicly available data to declare housing emergencies, including tenant rent burdens, a clear way of measuring runaway rents.¹¹ The Act will let localities choose the types of buildings that are covered by rent stabilization, allowing cities and counties to respond to local rental market needs. At its core, the REST Act will allow localities to exercise home rule over housing affordability, one of the most serious issues facing families around the state.

In this brief, we will illustrate the need for the REST Act in six key cities and showcase publicly available data that localities could use to demonstrate a housing emergency.

Renters and rent levels in six NYS cities

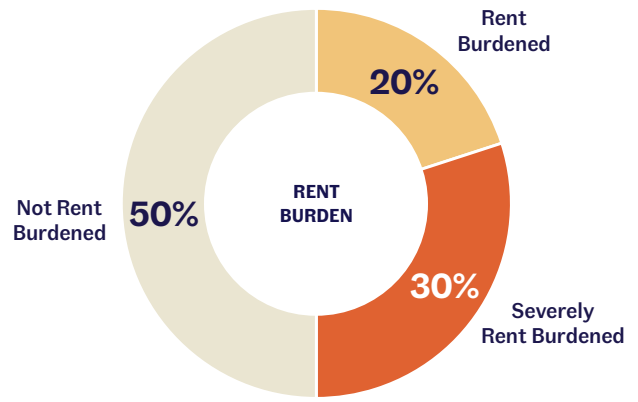
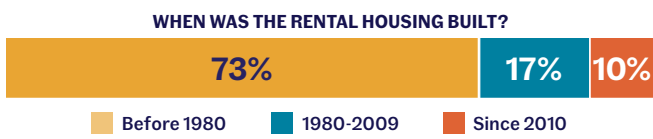


Albany

RENTER POPULATION
49,921

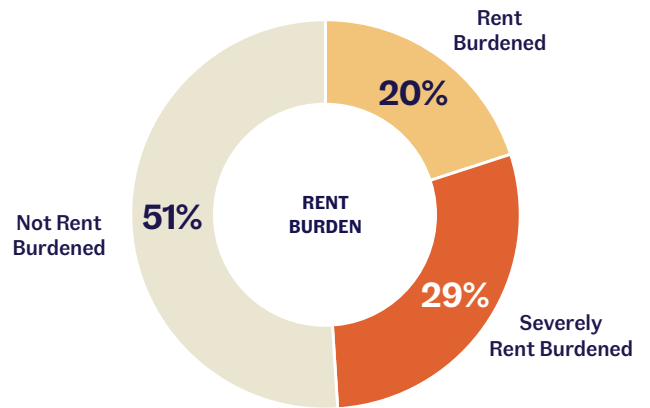
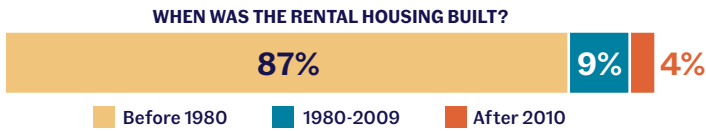
PERCENT RENTAL
62%

MEDIAN GROSS RENT
\$1,216



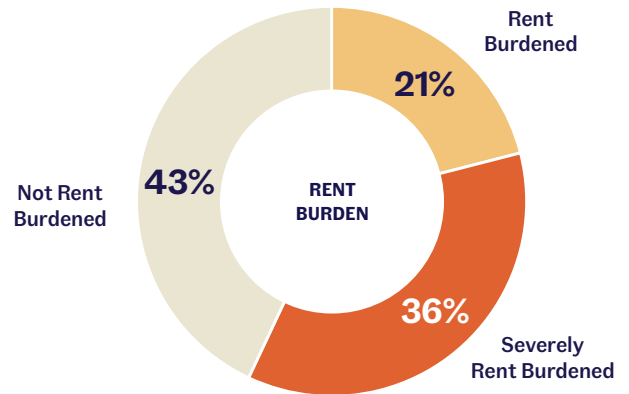
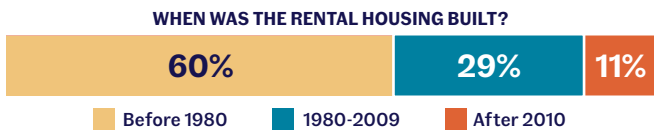
Buffalo

RENTER POPULATION **144,186** PERCENT RENTAL **57%** MEDIAN GROSS RENT **\$1,046**



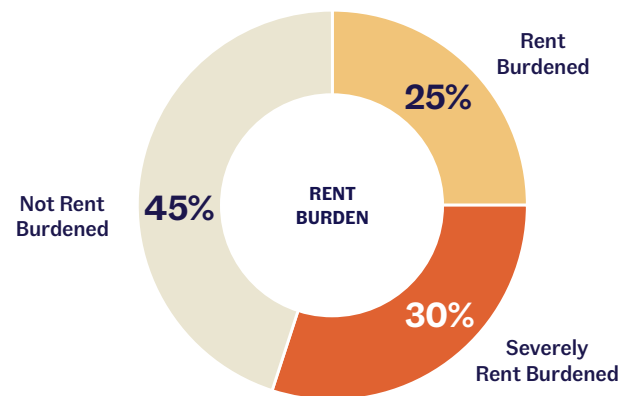
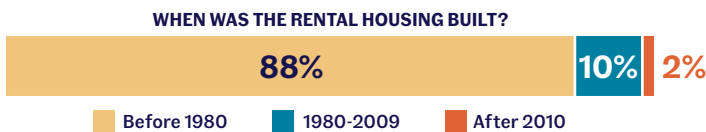
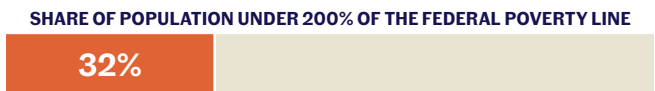
Ithaca

RENTER POPULATION **15,394** PERCENT RENTAL **70%** MEDIAN GROSS RENT **\$1,447**



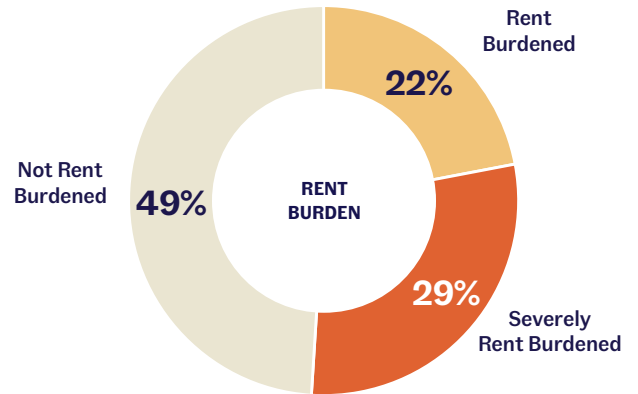
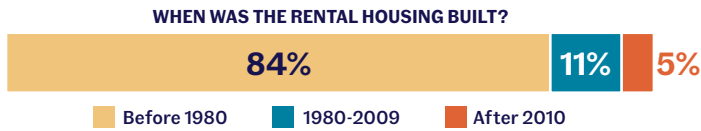
Kingston

RENTER POPULATION **11,148** PERCENT RENTAL **52%** MEDIAN GROSS RENT **\$1,469**



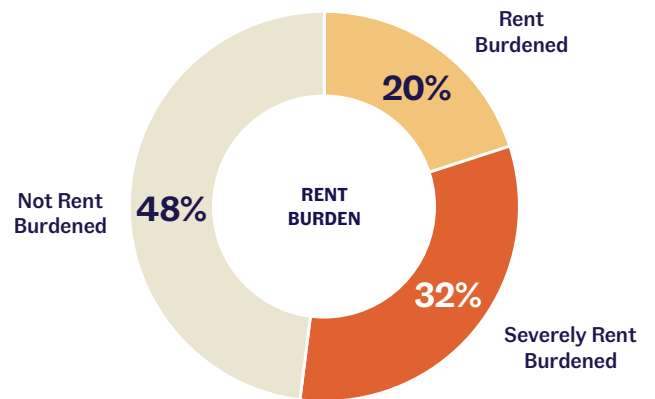
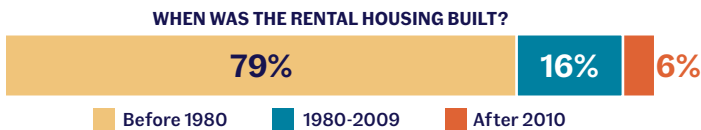
Rochester

RENTER POPULATION **119,699** PERCENT RENTAL **62%** MEDIAN GROSS RENT **\$1,081**



Syracuse

RENTER POPULATION **71,479** PERCENT RENTAL **58%** MEDIAN GROSS RENT **\$1,039**



New York Needs the REST Act

The data from these six municipalities demonstrate some of the contours of our statewide crisis.¹² New York is largely a rental housing market, and a great many tenants are struggling to afford the rent. Under current constraints, cities, towns, and villages lack the tools to respond. The New York State legislature should pass the REST

Act (S4659, Kavanagh/A4877, Shrestha), enabling localities around the state to use publicly available data in order to determine the existence of a housing emergency, and empowering localities to craft a form of rent stabilization that matches the size and age of their local housing stock.

Endnotes

- 1 [“Emergency Tenant Protection Act 576/74,”](#) *New York State Senate*.
- 2 For more, please see: Oksana Mironova and Samuel Stein, [“Stabilizing Renters by Stabilizing Rents,”](#) *CSSNY*, November 2025; Tram Hoang and Amee Chew, [“Our Homes Our Future: Building the Power to Win Rent Control for Stable Communities,”](#) *Policylink*, July 2025. [“Rent Regulation Keeps New York, New York,”](#) *CSSNY*, April 2025; Oksana Mironova, [“Rent Regulation in NYC: How it works, what went wrong, and how to fix it,”](#) *CSSNY*, January 2019.
- 3 [“Housing Stability and Tenant Protection Act of 2019,”](#) *New York City Rent Guidelines Board*.
- 4 In the past, only New York City and its suburban counties were allowed to regulate their rents.
- 5 Samuel Stein, Oksana Mironova, and Iziah Thompson, [“Across the State, New Yorkers Support Rent Stabilization and Good Cause,”](#) *CSSNY*, February 2025.
- 6 St. Paul Rent Stabilization Ordinance, [“Sec. 193A.08. Exceptions”](#); Montgomery County, MD, [“Rent Stabilization Exemptions”](#); State of Oregon Revised Statutes, [“90.323 Maximum rent increase; exceptions; notice.”](#)
- 7 Phillip Pantuso, “Poughkeepsie rent stabilization based on flawed study, court finds,” *Times Union*, November 22, 2024; Lana Bellamy, “Judge blocks Newburgh rent stabilization after landlord lawsuit,” *Times Union*, March 6, 2024.
- 8 Austin C. Jefferson, [“NY’s top court hears arguments on upstate rent control,”](#) *City & State*, May 16, 2025.
- 9 [“Judge temporarily blocks part of Kingston rent control law,”](#) *Spectrum News*, April 2, 2026.
- 10 [S4659A/A4877A](#)
- 11 The “Justification” section of the bill states, “The Rent Emergency Stabilization for Tenants (REST) Act recognizes that, in addition to vacancy rates, publicly available data on a locality’s eviction rate, homeless shelter population, renters’ housing cost burdens, and other relevant indicators can also demonstrate a locality’s lack of housing availability, affordability, and stability.”
- 12 Thomas J. Waters, [“Rental Housing Affordability in Urban New York: A Statewide Crisis.”](#) *CSSNY*, May 2019.

Methodology

For more than 20 years, the Community Service Society of New York has surveyed New Yorkers on housing, employment, benefits, finances, and policy views. The 2025 Annual Survey of Housing and Economic Security surveyed 919 tenants outside of New York City between September 9 and October 2, 2025. Surveys were offered in English, Spanish, Chinese, Russian, and Haitian Creole via online panels, email, phone, and text recruitment. The survey included residents from

Long Island (154), Westchester (202), the Capital District (192), Erie County (183), and Monroe County (188). Results were weighted by region to reflect the demographic composition of New York State adults. Additionally, in this report, we drew upon public data that could be used by localities to opt into rent stabilization if the REST Act passes, including data from the 2020-2024 American Community Survey (5-year estimate).

For more information, contact
Oksana Mironova and Samuel Stein at
omironova@cssny.org and sstein@cssny.org