

A LOCAL LAW REPEALING LOCAL LAW 21-04 (TO PROHIBIT EVICTIONS WITHOUT GOOD CAUSE) AND ADDING A NEW DIVISION 9 “PROHIBITION OF EVICTION WITHOUT GOOD CAUSE” TO CHAPTER 12 “HOUSING”

(LL-24-08)

INTRODUCED BY CHAIR WILSON, COUNCILMEMBERS PATTERSON THOMPSON, MENIST, DEICHLER, GRANT, HENRY, BROWN AND JAMES

**SECTION 1.** Local Law 21-04 (To Prohibit Evictions Without Good Cause) which added sections 12-175 and 12-176 to the City Code is hereby repealed. Said law has been unenforceable since the City Court of the City of Poughkeepsie declared it unconstitutional in the decisions of *LAKR KAAL ROCK, LLC v. Joan Killmer* (LT 949-22) and *LAKR KAAL ROCK, LLC v. Danielle Paul* (LT 950-22); and

**SECTION 2: BE IT ENACTED,** by the Common Council of the City of Poughkeepsie, a local law adding a New Division 9 “Prohibition of Eviction without Good Cause” to Chapter 12 “Housing.”

DIVISION 9 PROHIBITION OF EVICTION WITHOUT GOOD CAUSE

12-175: Protections Established.

- A. There is hereby established, pursuant to and in accordance with the provisions of, section 213 of Article 6-A of the Real Property Law of the State of New York, a Prohibition on Eviction without Good Cause.
- B. Pursuant to Section 213-2(a) of Article 6-A of the Real Property Law of the State of New York, the City of Poughkeepsie provides that any unit on or within a housing accommodation shall be exempt from the provisions of this Division 9 if it has a monthly rate above three hundred forty-five percent of fair market rent as published by the United State Department of Housing and Urban Development and as shall be published for the County of Dutchess by the New York State Division of Housing and Community Renewal.
- C. Pursuant to Section 213-2(b) of Article 6-A of the Real Property Law of the State of New York, the City of Poughkeepsie defines “small landlord,” for purposes of this Division 9, to mean a landlord of no more than one unit anywhere in the State of New York.

**SECTION 3.** This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

SECONDED BY COUNCILMEMBER \_\_\_\_\_