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Newburgh bans evictions without 'good cause'

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After a lengthy public hearing Monday night, the Newburgh City Council adopted a local law that restricts evictions in certain housing situations.

The law passed by a 6-0 vote with one abstention, making Newburgh the first Mid-Hudson Valley municipality, and just the third in New York state, to adopt this type of legislation that other communities have hesitated to put in place.

Rene Mejia Jr., a 28-year-old lifelong Newburgh resident and local organizer at the social justice organization For the Many, said he has lived in all four city wards and in 15 different apartments.

"I urge you on the City Council to listen to the tenants," Mejia told the council. "We can throw numbers around all day, but at the end of the night, 68% of people here in the city of Newburgh are renters. So anything against that majority is just taking the minority into account but not really listening to the people that are here."

Support for the law on Monday was mostly driven by renters and activists with For the Many, formerly called Nobody Leaves Mid-Hudson. But there was some support from landlords.

"It's really important to know that landlords are not all against this," Jerry Maldonado, a city of Newburgh resident and landlord, said during the hearing.

"I think we responsible landlords recognize that we have a responsibility to the people of our community to provide good housing at affordable rates and to make sure that they have stable housing in the long run," he continued.

Of the handful of landlords who spoke, a few asked the city to take more time to consider "both sides" of the situation.

David Lionheart, a city resident and landlord, saw the new law as restrictive toward his business.

Lionheart said he has never failed a property inspection and treats his tenants fairly and empathetically. He contended that the new legislation, which bars landlords from upping rent by an "unconscionable" amount, could "push a guy like me out."

"When someone's telling me how to run my business in a way where I'm already not hurting somebody, and I know that there's bad people out there that are hurting the citizens here who are trying to get by, we have got to just think it through," Lionheart said.

But a majority of the City Council was ready to vote immediately after the hearing on the legislation that was recommended by an extensive housing study led by the Leviticus Fund in partnership with consultant Kevin Dwarka and Pace Land Use Law Center.

Evictions without 'good cause' to be barred

Newburgh's legislation will take effect Jan. 1, about two weeks before the state's eviction moratorium is set to expire.

It will prohibit landlords from evicting tenants except for reasons that fall under "good cause" that are outlined in the ordinance.

Exceptions to this law include if a

tenant violates an obligation of their lease or if the landlord wants to reclaim the property for personal use. It also prohibits evictions of tenants who cannot pay rent due to an "unconscionable" increase in payments.

Exclusions to these rules include, but are not limited to, owner-occupied properties with less than four units.

"The legislation aims to fundamentally protect tenant rights by protecting against unfair evictions and predatory rent increases," said For the Many in a news release issued after Monday's meeting.

Similar laws have been proposed in Poughkeepsie, Beacon, New Paltz, Kingston and Ulster County but have not yet been voted on.

During the council's discussion following the hearing, Mayor Torrance Harvey asked the city's counsel Michelle Kelson for her opinion on the strength of the law.

"I can't sit here and say that there will be no challenges, there will be no consequences," she said. "That's inappropriate and I can't make that guarantee."

Kelson conducted some research in landlord-tenant law, she said, and didn't find definitive answers as to whether the law would withstand a single or particular legal challenge.

"Sometimes, you have to push the envelope to find out whether or not a particular policy or procedure or regulation will withstand scrutiny under a variety of circumstances," Kelson told the council.

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