



COMMON COUNCIL COMMITTEE MEETING

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE Kelly Kimbrough, Chair

DATE: Thursday, May 30, 2019

PLACE: City Court Room 209 – 2nd Fl. City Hall

TIME: 5:30PM

TOPICS OF DISCUSSION:

RESOLUTION NUMBER 31.52.19 (MC)

A RESOLUTION OF THE CITY OF ALBANY'S COMMON COUNCIL IN SUPPORT OF THE REMOVAL OF GEOGRAPHIC RESTRICTIONS UNDER THE EMERGENCY TENANT PROTECTION ACT (ETPA) AND GOOD CAUSE EVICTION LEGISLATION

PUBLIC COMMENT PERIOD: Yes

Councilmembers Kimbrough and Robinson introduced the following:

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WHEREAS, the City of Albany has documented and identified an unmet need for affordable housing opportunities to serve low and moderate income residents; and

WHEREAS, currently state law does not provide local authority to form a local board that would determine annual allowable rental increases in order to protect tenants from arbitrary rent increases; and

WHEREAS , the New York State Emergency Tenant Protection Act (ETPA) of 1974 provides rental protections including rent stabilization whereby landlords are subject to regulated rent increases and tenants have the right to renewal leases; and

WHEREAS , under the current ETPA law only municipalities in Nassau, Westchester, Rockland counties and New York City are eligible to adopt a form of rent stabilization, resulting in rent control only applying to tenants in 8 of the state's 62 counties; and

WHEREAS, in 2019, New York State's Emergency Tenant Protection Act (ETPA) of 1974 will be expiring, presenting an opportunity for our state leadership in Albany to improve and extend tenants' rights moving forward;

THEREFORE BE IT RESOLVED, that the Common Council calls upon our state leaders in Albany to remove the geographic restrictions from the ETPA by supporting S5040/A7046 , so that local governments can take an active role addressing the cost of rental housing and have a choice in providing critical rental rights to tenants in the City Of Albany and across the state; and

BE IT RESOLVED that the City of Albany also supports and endorses S 2892A/A5030 which would bring the right to a lease renewal with limited rent increases to all renters in non-owner occupied buildings in the state.

BE IT FURTHER RESOLVED, that the City Clerk is directed to send a copy of this resolution to U.S. Senator Kirsten Gillibrand, U.S. Senator Charles Schumer, Governor Andrew Cuomo, New York State Senator Neil Breslin, New York State Assemblywoman Patricia Fahy, New York State Assemblyman John McDonald, Senate Housing Chair Brian Kavanaugh, and Assembly Housing Chair Steven Cymbrowitz

To: Ms. Cashawna Burt, Acting City Clerk
From: Councilman Kelly Kimbrough and Councilman Jahmel Robinson
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 30, 2019

RESOLUTION NUMBER 31.52.19 (MC)

TITLE

A RESOLUTION OF THE CITY OF ALBANY'S COMMON COUNCIL IN SUPPORT OF THE REMOVAL OF GEOGRAPHIC RESTRICTIONS UNDER THE EMERGENCY TENANT PROTECTION ACT (ETPA) AND GOOD CAUSE EVICTION LEGISLATION

GENERAL PURPOSE OF LEGISLATION

To call on the state legislature to pass S5040/A7046, allowing for greater rent control across New York State.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Amendments will be made to the New York State Tenant Protection Act if passed by the State Senate and State Assembly that would allow for municipalities in all parts of the state to opt into the state's rent and eviction regulation system where a municipality has declared a housing emergency based on a vacancy rate of five percent or less. This resolution also supports current legislation pending in both houses that would prohibit the eviction of residential tenants or the non-renewal of residential leases without good cause.

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

N/A
