

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Nyack _____

Local Law No. 11 of the year 2024

A local law to Establish a New Chapter 217, of the Code of the Village of Nyack, to be Entitled "Good
(Insert Title)
Cause Eviction Law"

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Nyack _____ as follows:

-SEE ATTACHED-

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 11 of 2024 of the (County)(City)(Town)(Village) of Nyack was duly passed by the Board of Trustees on September 26 2024, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 9/27/24

(Seal)

**LOCAL LAW NO. 11 OF 2024,
TO ESTABLISH A NEW CHAPTER 217,
OF THE CODE OF THE VILLAGE OF NYACK,
TO BE ENTITLED “GOOD CAUSE EVICTION LAW”
(09/26/2024 ADOPTED VERSION)**

Be it enacted by the Board of Trustees of the Village of Nyack as follows:

Section 1 - Recitals and Legislative Intent.

Section 213(1) of New York State (“NYS”) Real Property Law (“RPL”) empowers a village to adopt, by enactment of a local law, the provisions of RPL Article 6-a, also known as the “Good Cause Eviction Law,” and this Local Law is adopted pursuant to said RPL §213(1), and also pursuant to NYS Municipal Home Rule Law (“MHRL”) §10; and in accordance with the procedures prescribed in MHRL §20, and NYS Village Law §21-2100.

Section 2 - Adoption of a new Chapter 217 entitled “Good Cause Eviction Law.”

A new Chapter 217 is hereby inserted into the Code of the Village of Nyack to read as follows:

Chapter 217. Good Cause Eviction Law.

§217-1. Purpose.

The purpose of this Chapter is to opt-in to, and adopt all of the provisions of, Article 6-a of New York State (“NYS”) Real Property Law (“RPL”), also known as the “Good Cause Eviction Law,” pursuant to RPL §213(1), for the same legislative reasons that the Good Cause Eviction Law was enacted by the NYS Legislature (which reasons are incorporated herein by reference); and also for the purpose of ameliorating, to the extent possible, (i) the exaction of unreasonable and oppressive rent amounts, and rental agreements, relating to residential housing accommodations in the Village, and (ii) the uncertainty, hardship and dislocation of Village residents, which governmental action the Village Board of Trustees finds to be necessary and designed to protect the public health, safety and general welfare.

§217-2. Opting-In.

The Village of Nyack opts-in to, and adopts all of the provisions of, the NYS Good Cause Eviction Law (RPL Article 6-a), as same be amended from time to time, which is incorporated herein by reference, except as may be modified in this Chapter.

§217-3. Exemptions.

- A. All of the exemptions that are set forth in RPL §214, as same be amended from time to time, are incorporated herein by reference, except as modified below:

- (1). Any unit on, or within, a housing accommodation shall be exempt from the provisions of this Chapter if such unit has a monthly rent above 345% of fair market rent, as published by the United States Department of Housing and Urban Development, and as published for the County of Rockland by the NYS Division of Homes and Community Renewal, pursuant to RPL §214(15).
- (2). Any unit on, or within, a housing accommodation that is owned by a small landlord shall be exempt from the provisions of this Chapter, which small landlord is defined as a landlord that owns no more than one total units within the State of New York.

B. All definitions set forth in RPL §211, as same be amended from time to time, are incorporated herein by reference, including the definition of “small landlord,” except as specifically modified above.

Section 3 – Severability.

If any part or provision of this Local Law, or the application thereof to any person or circumstance, is adjudged invalid or unconstitutional by a court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law, or the application thereof to other persons or circumstances. The Village Board of Trustees hereby declares that it would have enacted the remainder of this Local Law even without any such invalid or unconstitutional part, provision or application.

Section 4 – Effective Date.

This Local Law shall take effect thirty days after a copy has been filed with the NYS Secretary of State in the manner prescribed by NYS Municipal Home Rule Law §27.