



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

## Senate Passes Hoylman Bill Giving Tenants the Right to Call 911 Without Fear of Eviction

BRAD HOYLMAN-SIGAL May 14, 2019

ALBANY, NY – Senator Brad Hoylman (D/WF-Manhattan) released the following statement in response to the passage of his Right to Call 911 bill ([S.4657-A/A.2665A](#)) through the State Senate. The bill would establish the right of tenants to call police or emergency assistance without fear of losing their housing as the result of local nuisance laws.

**Senator Hoylman said:** “For a person in crisis, a call to 911 can be a matter of life and death. Survivors of domestic violence should not have to fear that calling 911 will put them at risk of losing their home. Using nuisance laws to punish domestic violence survivors is callous and misguided, and today we make it clear that this is not an acceptable practice in the State of New York. I’m grateful to Assemblymember Charles Lavine, Empire Justice Center, the New York Civil Liberties Union and the New York State Coalition Against Domestic Violence (NYSCADV) for their partnership in protecting tenants across our state.”

Nuisance ordinances enacted by local governments often label a property as a nuisance when it is the site of a certain number of calls for police or alleged nuisance conduct, such as assault, disorderly harassment, and other kinds of behavior. Property owners incur fees once such a designation is made, and often instruct tenants not to call 911 or seek emergency assistance as a result. Evidence shows that nuisance ordinance are more commonly enforced

in low-income communities and communities of color.

Hoyleman's legislation would ensure that tenants cannot be kicked out of their homes by their landlord for accessing emergency assistance, or for having a third party request emergency assistance on the tenant's behalf. The bill would also protect landlords from fines or the revocation of a permit by a local government for failing to penalize or remove a tenant who has exercised their right to seek emergency assistance.

**Assemblymember Lavine said:** "New Yorkers should never have to be fearful of calling the police or reaching out to emergency services in a time of need. Tenants must be allowed to seek assistance in emergency situations without any retaliation."

**Amy Schwartz-Wallace, senior attorney at Empire Justice Center said:** "Residents across New York State, particularly victims of crime and intimate partner violence, should be able to call the police for help without fear that their local laws will then be used to threaten, harm or penalize them. We applaud Assemblymember Lavine and Senator Hoyleman for their leadership in passing these protections that will finally undo legally problematic and deeply unjust practices that occur throughout our state. As these 'nuisance ordinances' directly undermine public safety and confidence in our justice system, we hope that the Governor will quickly sign this important bill into law."

**Sandra Park, senior attorney at the ACLU Women's Rights Project said:** "No one should face eviction because they called 911. With this bill, New York leads the nation in ensuring that crime victims and people in medical emergencies can seek help when they need it, without fear of losing their homes. The result will be safer and healthier communities."

**Donna Lieberman, executive director of the New York Civil Liberties Union said:** "Nuisance ordinances hit communities of color and low-income neighborhoods the hardest,

discouraging domestic violence survivors, victims of crimes, and people seeking emergency medical assistance from getting the help that they need. This bill protects access to police and emergency services, and ensures that New Yorkers are not forced to choose between their housing and their safety. The Governor should waste no time in ensuring that these critical protections become law.”

**Connie Neal, executive director of the New York State Coalition Against Domestic Violence said:**

“We have learned that landlords evict victims of domestic violence who call for help even before a local community lodges fines or penalties against them under local nuisance ordinance regulations. These local laws, though initially well intended, have the unintended consequence of making victims of domestic violence choose between their safety and avoiding homelessness. This bill not only ensures victims can call police when they need to, but ensures that when municipalities seek to enforce local nuisance ordinances, they must provide notice and give both the landlord and tenant an opportunity to contest it. We urge the Governor to sign this bill into law immediately.”

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