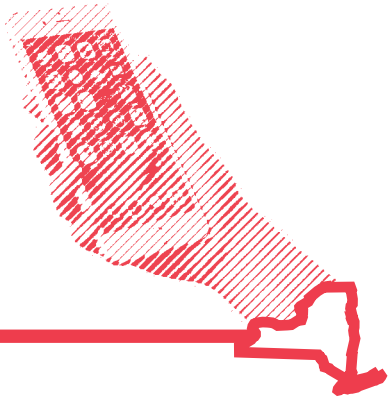
YOUR RIGHT TO CALL 911 WITHOUT BEING EVICTED



KNOW YOUR RIGHTS

In the past, landlords have attempted to evict their tenants because the tenants called 911. New York law protects the right of individuals to call for police or emergency assistance, and that means survivors of domestic abuse and other individuals in need of emergency assistance can call 911 without the threat of eviction.

Landlords, property owners, and municipalities are prohibited from restricting or limiting your right to call 911 when you need emergency assistance.

As a tenant or resident, you have the right to call the police when you need emergency assistance. Local governments, landlords, and property owners are prohibited from limiting your right to call 911 when you need emergency assistance. This means that you cannot be evicted or penalized for calling 911 whenever you need emergency assistance so long as you are not breaking the law or violating the terms of your lease. In addition, landlords cannot prohibit a tenant or resident from calling emergency assistance in their lease agreement or otherwise.

WHO DOES THIS LAW PROTECT?

This law protects tenants and residents when police or other first responders respond to a call for help at their address. This is true whether the emergency response is to meet the needs of the tenant, another resident, or a guest and is true regardless of whether the tenant, another resident, or a guest calls 911. The law also protects landlords from being punished by the government if their tenants call 911.

WHAT IF MY LANDLORD ATTEMPTS TO EVICT ME FOR CALLING 911?

If you have not violated your lease or the law, your landlord may not evict you or refuse to renew your lease based on you or anyone on your premises calling 911 to seek help, regardless of the number of times you have done so.

If your landlord attempts to evict you for calling 911 as the survivor of domestic violence or for seeking other emergency assistance, you must be given written notice of the landlord's intent to evict you and the protections offered by the new law. You may be able to avoid eviction by showing the eviction is directly or indirectly punishing you for exercising your right to call 911, and the NYCLU may be able to help. See the end of this document for the NYCLU's legal assistance page.

WHAT IF I'VE BEEN EVICTED FOR CALLING 911?

If you have been evicted for calling 911 you can bring an action in court for damages or for the eviction to be undone.

CAN A PERSON WHO COMMITS A VIOLENT ACT OR ENGAGES IN OTHER CRIMINAL ACTIVITY BE EVICTED?

A person who commits a violent act or engages in other criminal activity can be evicted or removed. However, this will not result in the eviction of the resident targeted by the violence, even if that person is not on the lease.

CAN I BE PUNISHED FOR ACTIVITY THAT VIOLATES THE LAW IF I CALL THE POLICE?

This law does not protect you from punishment for violating your lease or the law. If you are engaged in activity that violates the law when the police are called, you may still be charged for those crimes. Violations of your lease, such as failure to pay rent, subletting your unit in violation of your lease, or significantly altering the physical structure of the property, may also still result in eviction.

WHAT IF MY LANDLORD OR LOCAL GOVERNMENT ASKS ME NOT TO CALL 911?

No one can ask you to waive your right to call 911. Any "waiver" of your right to call 911 in a lease agreement cannot be enforced by the landlord or anyone else.

HOW DOES THIS LAW PROTECT LANDLORDS?

In the past landlords have been fined or experienced other penalties when their tenants called for emergency assistance. However, New York law prohibits landlords from being fined or punished by local governments for not removing a tenant who has called 911 for emergency assistance.

If you need assistance, please contact the NYCLU at: https://www.nyclu.org/en/about/legal-assistance.

If you are a survivor of domestic or sexual violence and seeking support, you may also contact the **New York State Domestic and Sexual Violence Hotline:**

1-800-942-6906 (English & multi-language accessibility.)

If Deaf or Hard of Hearing call 711.

NYCLU
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www.nyclu.org