

# HOUSING JUSTICE

National Housing Law Project

Newsletter Spring/Summer 2016

## City of Surprise, Arizona Agrees to Repeal Nuisance Ordinance

In March 2016, Nancy Markham, a domestic violence survivor, [settled a federal lawsuit](#) with the City of Surprise, Arizona. Ms. Markham had faced eviction under the City's nuisance ordinance after calling the police multiple times for protection. Surprise's ordinance prohibited landlords from continuing to rent to tenants who called the police four times within 30 days, or when two or more crimes occurred at the property at any time, with no exception for tenants who needed emergency assistance. The law also required landlords to adopt crime-free leases that authorized the eviction of tenants when any criminal activity occurred at the property. In August 2015, Ms. Markham sued the City, the city's police chief, and a Surprise police officer for enforcing the municipality's nuisance law against her, asserting First Amendment, due process, equal protection, Fair Housing Act, and other claims. The settlement includes the City's repeal of the challenged ordinance provisions, an agreement not to enact another policy penalizing crime victims, monetary payment to Ms. Markham, and attorneys' fees to be determined by the court. ▀

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