

Getting Evicted for Calling the Police: Nuisance Ordinances and Their Impacts on Domestic Violence Survivors

Information for Local Advocates

What are Nuisance Ordinances?

Nuisance ordinances are local laws that often impose penalties (e.g., fines) on property owners for activity on their property that is considered to be “nuisance” activity. For example, failure to maintain one’s lawn is an example of a “nuisance.”

Such ordinances may also define nuisance activity as calling law enforcement or emergency assistance to a property a certain number of times within a certain timeframe. For example, if someone calls the police to their apartment complex too many times within a month or year, making such calls may be considered “nuisance” activity under local law. In response, property owners cited under nuisance ordinances may evict renters to avoid penalties.

How can Nuisance Ordinances Negatively Affect Domestic Violence Survivors and Other Populations?

- Local nuisance ordinances may count incidents of domestic violence or calls to 911 for assistance as nuisance activity, subject to penalties.
- Nuisance ordinances discourage survivors from calling for police or emergency assistance out of fear of eviction or other penalties. This makes survivors choose between their homes and their safety.
- Nuisance ordinances have also been shown to negatively affect persons with disabilities and communities of color.

Are there Possible Protections Under the Law?

Enforcement of nuisance ordinances against domestic violence survivors and other populations may violate laws such as:

- The Fair Housing Act and similar state laws that prohibit sex, race, and disability discrimination;
- The Violence Against Women Act, which protects survivors of domestic violence, dating violence, sexual assault, and stalking in federal housing programs;
- The U.S. Constitution, including one's First Amendment right to seek help from the government; and
- Any state laws prohibiting nuisance ordinances that adversely impact survivors or other populations.

Need More Information?

To request training or technical assistance, please contact Renee Williams, rwilliams@nhlp.org.

Please note that this fact sheet is provided for informational purposes only, and should not be considered legal advice.

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