

SENATE BILL 826

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 66,
relative to rental properties.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Right to Call for Help Act."

SECTION 2. Tennessee Code Annotated, Title 66, Chapter 7, is amended by adding the following as a new section:

(a) A landlord shall not prohibit or limit a resident's or tenant's right to summon law enforcement or other emergency assistance by or on behalf of a victim of abuse, a victim of a crime, or an individual in an emergency.

(b) A landlord shall not impose any penalty, monetary or otherwise, on a resident or tenant who exercises a right under subsection (a) to summon law enforcement or other emergency assistance.

(c) Any right granted under this section may not be waived. Any purported waiver is contrary to public policy and void.

(d) As used in this section "penalty" includes, but is not limited to:

(1) The actual or threatened assessment of fines; and

(2) The actual or threatened eviction of the resident or tenant from the premises.

(e) This section does not prohibit a landlord from terminating, evicting, or refusing to renew a tenancy or rental agreement when such action is premised upon grounds other than the resident's or tenant's rights under this section.

(f) No ordinance, rule, or regulation of a city, county, or other governmental entity shall authorize imposition of a penalty against a landlord, owner, resident, or tenant because the landlord, owner, resident, or tenant was a victim of abuse or crime.

(g) No ordinance, rule, or regulation of a city, county, or other governmental entity shall authorize imposition of a penalty against a landlord, owner, resident, or tenant because the landlord, owner, resident, or tenant sought law enforcement assistance or other emergency assistance for a victim of abuse, a victim of a crime, or an individual in an emergency if:

(1) The landlord, owner, resident, or tenant seeking assistance had a reasonable belief that the emergency assistance was necessary to prevent the perpetration or escalation of the abuse, crime, or emergency; or

(2) In the event of abuse, crime, or other emergency, the emergency assistance was actually required.

(h) This section does not prohibit a city, county, or other governmental entity from enforcing any ordinance, rule, or regulation.

(i) In addition to other remedies provided by law, if an owner or landlord violates the provisions of this section, a resident or tenant is entitled to recover from the owner or landlord any of the following:

(1) A civil penalty in an amount equal to one month's rent;

(2) Actual damages;

(3) Reasonable attorney fees the resident or tenant incurs in seeking enforcement of this section;

(4) Court costs; and

(5) Injunctive relief, including reinstatement of a lease, rental certificate, license, or permit, as the court may deem appropriate.

(j) In addition to other remedies provided by law, if a city, county, or other governmental entity violates the provision of this section, an owner, landlord, resident, or tenant is entitled to recover from the city, county, or other governmental entity any of the following:

- (1) Actual damages;
- (2) Reasonable attorney fees the owner, landlord, resident, or tenant incurs in seeking enforcement of this section;
- (3) Court costs; and
- (4) Injunctive relief, including reinstatement of a lease, rental certificate, license, or permit, as the court may deem appropriate.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.