LEGAL SERVICES NYC

Testimony for Protecting Lives in the Cold:
Oversight of NYC's Code Blue Operations
Committees on Public Safety & General Welfare
New York City Council
February 10, 2026

Dear Members of the New York City Council:

Legal Services NYC is the largest civil legal services provider in the country, and our neighborhood-based offices and outreach sites across all five boroughs assist over 100,000 individuals annually. Legal Services NYC is dedicated to fighting poverty and seeking racial, social and economic justice for low-income New Yorkers. This testimony is being submitted to shine a light on a critical contradiction in the City's policies that puts New Yorkers's lives at risk every winter.

Wisely, the City created a Code Blue policy that goes into effect when temperatures drop below freezing to ensure that the unhoused can easily gain access to shelter. The City also deploys outreach teams to offer services and shelter and warming centers are utilized across all five boroughs. This policy is in place for a good reason – living outside during freezing temperatures is not only dangerous but can be deadly.

The City recognizes that for the unhoused, freezing temperatures present a real threat, yet at the same time the City is working to bring the unhoused inside it allows City Marshals to continue with evictions -- thereby rendering a new class of New Yorkers homeless. This is an unconscionable policy contradiction.

Legal Services NYC analyzed, using publicly available data the number of evictions that occurred across the City when the temperature was below 32°F thereby triggering a Code Blue response and found that from 2017 to date there were nearly 14,000 evictions carried out[1]. And, even more shocking, on days when the temperature in New York City was below 20°F degrees, 2,032 individuals and families became homeless as a result of an eviction.[2]

[1] The total number of evictions that occurred from 1/1/17 to 2/6/26 when the actual temperature was below 32°F was 13,681. This number has been modified from the data included Legal Services NYC's previously submitted testimony to include only residential evictions (and exclude all commercial evictions).

[2] This number has been modified from the data included in Legal Services NYC's previously submitted testimony to include only residential evictions (and exclude all commercial evictions).

These figures are assuredly an underestimate because they only take into account the actual temperature and not the wind chill which the City's Code Blue policy takes into account.

Climate change is exacerbating the risks posed by both excessive heat and extreme cold. Last summer Legal Services NYC released a report, *The Deadly Impact of Evictions During Extreme Heat*, on the dangers of being evicted during periods of extreme heat. Last summer's brutal heat waves were followed by this viciously cold winter, the coldest many of us can remember. We know from these past weeks how dangerous it can be to be unhoused during below freezing temperatures. And yet last week when the actual temperature on Monday morning at approximately 9am was 20°F and 9°F with the wind chill, City Marshals began evicting tenants and ultimately evicted 99 individuals and families.[3]

The human cost of this contradiction is real. There is ample evidence to support the fact that an eviction is a violent disruption that has long-term destabilizing impacts. Nearly 17,000 New York City tenants and their families were evicted in 2025.[4] Evicted tenants are often forced to relocate to poorer and higher-crime neighborhoods with lower performing schools and fewer job opportunities than those who move by choice.[5] Mothers who are evicted are more likely to suffer from depression and experience elevated stress levels, and they and their children tend to have poorer health outcomes than those who were not evicted.[6] The day an individual or family loses their home can be one of the worst days of their lives and it also can be life threatening as losing one's home can significantly increase the risk of suicide.[7]

A tenant attempting to stop an eviction must travel to court to file an emergency motion or travel to a shelter intake center in another borough all while being exposed to the dangerous elements. Families evicted during Cold Blue periods face immediate danger, particularly those with children, elderly members, or individuals with health conditions. Emergency shelters, already strained during extreme weather, may not be able to adequately absorb the additional

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[3] See NYC Open Data at https://data.cityofnewyork.us/City-Government/Evictions/6z8x-wfk4/data_preview. This number has been modified from the data included in Legal Services NYC's previously submitted testimony to include only residential evictions (and exclude all commercial evictions).

[4] According to NYC Open Data the exact number of households that were evicted in 2025 was 16,850. This number has been modified from the data included in Legal Services NYC's previously submitted testimony to include only residential evictions (and exclude all commercial evictions).

[5] Mathew Desmond and Tracey Shollenberger, "Forced Displacement from Rental Housing: Prevalence and Neighborhood Consequences," *Demography* 52, no. 5 (October 2015): 1751–1772, https://doi.org/10.1007/s13524-015-0419-9.

[6] Matthew Desmond and Rachel Tolbert Kimbro, "Eviction's Fallout: Housing, Hardship, and Health," *Social Forces* 94, no. 1 (September 2015): 295–324, https://doi.org/10.1093/sf/sov044.

[7] Katherine A. Fowler et al., "Increase in Suicides Associated with Home Eviction and Foreclosure during the US Housing Crisis: Findings from 16 National Violent Death Reporting System States, 2005–2010," *American Journal of Public Health* 105, no. 2 (February 2015): 311–16, https://doi.org/10.2105/AJPH.2014.301945.

displacement caused by evictions. Many families evicted during winter months cannot secure alternative housing immediately and face the choice between overcrowded shelters, unsafe temporary arrangements, or exposure to the elements.

The City has acted to suspend evictions during periods of extreme weather in the past. Evictions were suspended the week immediately following the late January storm. And on other occasions the City has suspended evictions during extreme weather events but unfortunately there is not a uniform policy. The notice to suspend evictions are typically not issued until the day prior so tenants may still be taking steps to either plan for an eviction or to prevent it such as travelling to court during dangerously cold weather. The Department of Investigation needs to implement a policy, rather than an ad hoc day by day response, that makes it clear when it is too dangerous to evict.

As climate change intensifies extreme weather events across all seasons, New York City has an opportunity to take a bold step on behalf of its most vulnerable residents when they need shelter most. In doing so, the City will be joining other jurisdictions who have implemented policies suspending evictions during periods of extreme weather. Both Washington, DC, and Cook County Illinois, which includes Chicago, have recognized that evictions during extreme cold are dangerous and have policies in place to protect tenants.

Allowing evictions to occur when it puts New Yorkers at risk of serious harm or even death is inhumane. New York City has recognized that extreme cold is a grave threat to our fellow citizens who are unhoused, yet the City allows people to become newly unhoused during those same conditions. By establishing a uniform standard that suspends evictions when a Cold Blue is in effect, New York City can prevent unnecessary illness and death, reduce strain on emergency services and the shelter system, and demonstrate that basic human dignity and public health are paramount.

Thank you for your time and consideration.

Respectfully submitted,

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The Deadly Impact of Evictions During Extreme Heat

An Advocacy Report

by Carolyn Norton and Virginia Ryan

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TABLE OF CONTENTS

Executive Summary 3
Introduction 5
Extreme Heat Events Are Becoming More Severe In Nyc 6
Extreme Heat's Disproportionate Impact On Marginalized Communities 8
Evictions Have Violent And Life-Threatening Impacts Generally 10
Evictions During Extreme Heat Have Deadly Impacts On New York's Poorest Communities 11
The City Recognizes The Problem But Has Failed To Respond To The Crisis 13
Conclusion And Recommendations 15

ABOUT LEGAL SERVICES NYC

For more than 50 years, Legal Services NYC has challenged systemic injustices and made real, tangible improvements in the lives of low-income communities across the city. This work includes preventing evictions and preserving housing; demanding access to high-quality education, health care, and economic security; ensuring safety and stability for survivors of domestic violence and immigrants; and fighting for the dignity and respect of all New Yorkers, including LGBTQ communities, New Yorkers with disabilities, and people of color.

With deep roots in communities in all five boroughs, Legal Services NYC has handled more than two million cases since our founding. And with a staff of over 700 dedicated advocates, we are now the largest provider of free civil help in the country serving over 100,000 New Yorkers in need annually. We are proud of what we have accomplished and look forward to continuing to expand the scope of our work with the generous support of our individuals, partners, and communities across the city.

Learn more at http://www.legalservicesnyc.org.

EXECUTIVE SUMMARY

Extreme heat in New York City endangers all New Yorkers, but it is particularly dangerous for those facing eviction and homelessness. Due to global warming and the City's dense urban environment, heat waves are becoming more frequent and hotter, putting vulnerable communities at risk. New York City experienced the hottest day in more than a decade on June 24, 2025, with the temperature hitting 99°F in Central Park and 102°F at JFK airport. The result was a massive spike in emergency room visits. Statistics show that more than 500 New Yorkers die from the heat each summer.

At particular risk are New Yorkers facing eviction, who, Legal Services NYC found, statistically live in the City's hottest neighborhoods. When already vulnerable tenants are forced out of their homes during extreme heat, they are at greater risk of heat-related health problems and even death. But it doesn't have to be that way. This report analyzes rising temperatures in New York City, the heat's disproportionate impact on Black and marginalized communities, the frequency of evictions in NYC's hottest neighborhoods, and recommends that the City halt evictions during extreme heat as a matter of public safety.

Key Findings:

- **New York City is becoming increasingly hot,** exacerbated by the extreme density of buildings and the Urban Heat Island (UHI) effect, which has a greater impact on New York City than any other American city. 2024 was the hottest year on record.

- **Deaths due to excessive heat disproportionately impact low-income communities of color**. Black New Yorkers are nearly 2.5 times as likely to die from heat-stress than white New Yorkers and at younger ages due to social and economic disparities.

- **Evictions during a heat wave are deadly.** From January 1, 2017 to June 30, 2025, an astonishing 7,554 evictions occurred on days when the temperature exceeded 90°F. Tenants facing eviction have a greater risk of heat-related health issues due to their exposure to the elements, putting them at risk of exhaustion, dehydration, and other heat-related illnesses.

- **Data shows that New York City's poorest neighborhoods are also the hottest, and the hottest neighborhoods are where evictions happen more frequently.** From 2017 to 2025, data shows that 64% of evictions occurred in areas where the Heat Vulnerability Index is 4 or 5 (the hottest), demonstrating the interconnectedness of heat vulnerability and poverty. Areas with the highest evictions rates in New York City are majority Black and Latinx.

- **Other U.S. cities have taken action, but New York City has not.** Cities in California, Maryland, Illinois, and Washington DC have policies regarding eviction in extreme weather, but New York City lags behind.

Recommendation:

New York City must act to protect its most vulnerable residents during extreme heat. A modest first step is for the Department of Investigation, which oversees city marshals, to adopt a policy that universally suspends evictions during heat events, defined as any day the temperature is projected to be above 90°F. Such a policy is essential to protect the most vulnerable New Yorkers from heat-related illness or even death.

INTRODUCTION

In New York City and nationwide, extreme heat kills more people on average every year than all other natural disasters.[1] Shockingly, more than 500 New Yorkers die prematurely each summer on average due to hot weather.[2] As a point of comparison, there are more heat-related deaths in New York City each summer than there are homicides in the entire year,[3] and there are twice as many heat-related deaths in New York City than car accident deaths annually.[4] Heat-related deaths account for roughly 3% of all deaths in New York City between May and September.[5] Extreme heat is known as the silent killer because its effects can be subtle and delayed, making it hard to recognize its danger until serious problems have occurred, and it disproportionately impacts the most vulnerable.[6]

Heat also significantly increases the risk of hospitalization and puts a strain on New York's emergency rooms. On June 24, 2025, when the temperature in Central Park reached a sweltering 99°F, 112 New Yorkers were hospitalized for heat-related illnesses, a staggering number given that in the past five years, there have only been three days when more than 50 New Yorkers were brought to emergency rooms as a result of the heat.[7] Excessive heat directly compromises the body's ability to self-regulate temperature resulting in dehydration, heat cramps, heat exhaustion, heatstroke, and hyperthermia.[8] Exposure to extreme temperatures can also exacerbate chronic conditions such as cardiovascular and respiratory diseases, cerebrovascular issues, and diabetes. Prolonged heat exposure is linked to increased hospital admissions for cardiovascular, kidney, and respiratory disorders.[9] It can also worsen mental health conditions and in some instances result in death.[10]

There are more heat-related deaths in New York City each summer than there are homicides in the entire year.

Being evicted during a period of extreme heat is potentially life-threatening, as being unhoused dramatically increases one's chance of heat-related death. Tenants may be forced to pack up their belongings to prepare to move when it is dangerously hot, or travel to another borough to an intake center to access shelter. Moreover, tenants trying to stop an eviction must travel to court during a heat wave.

The City recognizes the dangers that extreme heat poses to New Yorkers but has yet to meaningfully act. This report urges the City to establish a clear policy that would uniformly suspend evictions when the heat index exceeds 90°F to protect tenants from the compounding dangers of possible homelessness during heat waves which can lead to heat-related illness, hospitalization, or death.

EXTREME HEAT EVENTS ARE BECOMING MORE SEVERE IN NYC

New York City's dense urban environment makes heat waves particularly acute due in part to the urban heat island ("UHI") effect. The UHI effect refers to the phenomenon whereby cities resemble an island of heat among a broader sea of cooler temperatures in suburban or rural areas.[11] Because of this, the UHI effect results in more heat-related deaths in urban areas than in rural or suburban areas.[12] In New York City, the UHI effect has a greater impact than in any other American city, resulting in the temperature feeling an average of more than 9.7°F hotter because of the built environment.[13]

The extreme density of buildings and the large population of people living in small spaces in close proximity makes New York City particularly susceptible to trapped heat. Concrete, glass, and asphalt are excellent insulators, which means they trap heat during the day, and the proliferation of tall buildings causes heat released from buildings to linger between them.[14] The high concentration of people increases energy from the heat people burn off in their daily lives.[15]

Vegetation that is abundant in rural areas and lacking in urban areas has an important impact

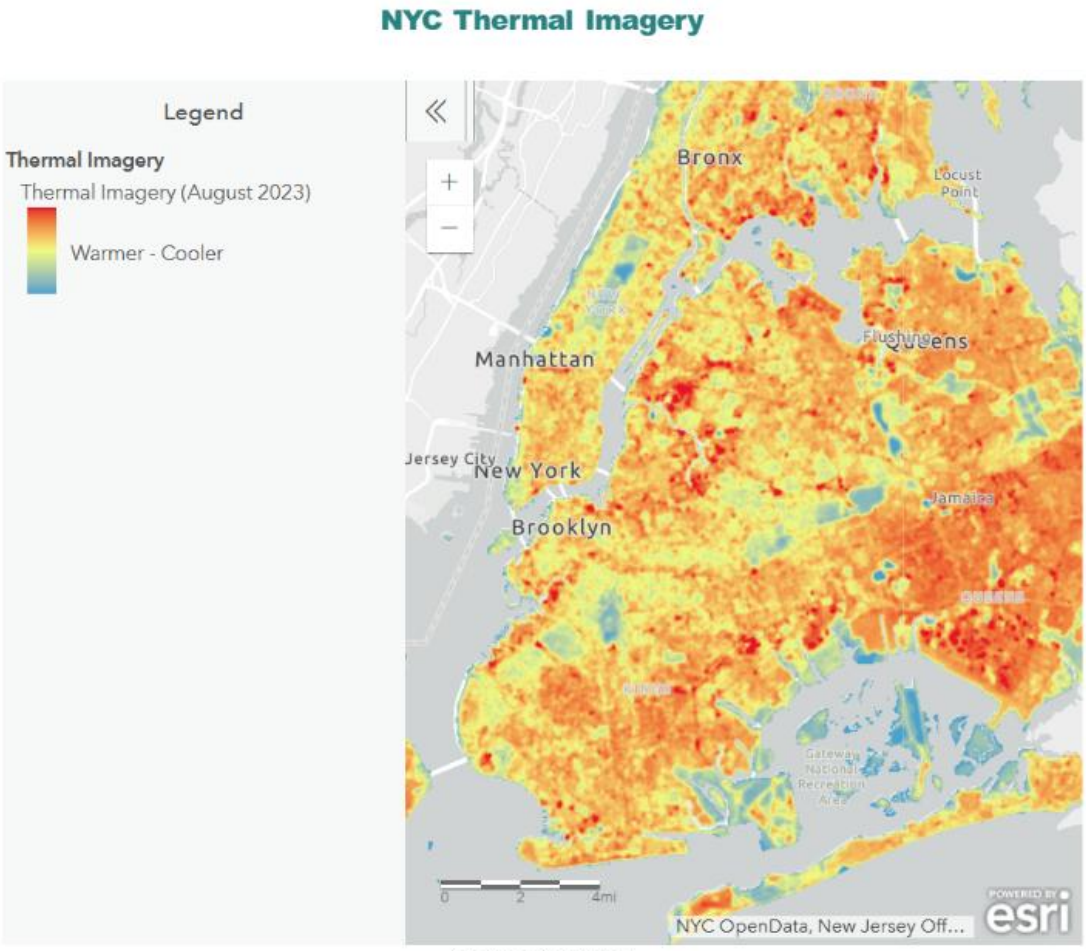


Figure 1. Thermal Imagery Map of NYC in 2023. Warmer locations are shown in orange and red, while cooler areas are shown in green and yellow.

on the UHI effect. A city block covered in trees, shrubs, and grass can have an average summertime temperature several degrees cooler than one completely covered in impervious surfaces.[16] During a heat wave on August 9, 2022, Washington Heights, a neighborhood with only 3% vegetation and high volume of built-up areas, recorded the highest temperature in the City.[17] That same day, Ferry Point Park, which has 77% vegetation and is close to the water, recorded the lowest temperature in the City at 8°F cooler than Washington Heights.[18] The map above demonstrates that neighborhoods with parks and trees reduce urban heat.[19]

Further, what the temperature actually feels like can vary significantly from the actual temperature because of the heat index. The heat index measures how it actually feels when humidity is combined with the air temperature. The heat index is a better measure of the risks from heat exposure than the actual temperature alone because with higher humidity, the body is less able to cool itself through sweating. More moisture in the air means that sweat cannot evaporate, which is an essential way the body regulates temperature.[20] Potential risk to public health is better assessed through forecasted heat index rather than forecasted temperature.[21]

In addition to the dangers of the heat itself, air quality worsens during extreme heat, thereby increasing the risk of being outside for those with respiratory issues. Urban areas have high levels of ground-level ozone pollution, which occurs when heat triggers chemical reactions between pollutants associated with electric utilities, industrial facilities, and vehicles.[22] In New York City, fine particulate matter is particularly concerning. It annually contributes to 2,000 deaths and over 5,000 emergency room visits and hospitalizations for respiratory and cardiovascular disease.[23] Hot weather worsens ground-level ozone concentrations, which can exacerbate asthma and other respiratory diseases.[24] The dangerous combination of heat and air pollution makes evictions especially dangerous during extreme heat. Respiratory illnesses like asthma are twice as prevalent among the unhoused population.[25]

In New York City, the UHI effect has a greater impact than in any other American city, resulting in the temperature feeling an average of more than 9.7°F hotter because of the built environment.

Climate change is exacerbating the risks posed by excessive heat. As the climate continues to warm, extreme heat events in New York are becoming more intense, frequent, and severe.[26] Indeed, 2024 was the hottest year on record[27] and heat extremes are projected to increase so frequently and universally that they are likely to impact Americans' daily lives more than any other aspect of climate change.[28] The annual number of days in New York City with temperatures of 90°F and above has noticeably increased since the late 19th century.[29]

Suspending evictions during extreme heat marks a crucial first step toward fostering a more compassionate and resilient society as we begin confronting the challenges of climate change.

EXTREME HEAT'S DISPROPORTIONATE IMPACT ON MARGINALIZED COMMUNITIES

The poorest neighborhoods in New York City are also the hottest due to systemic inequality and historic disinvestment. Deaths due to excessive heat have disproportionately occurred in low-income communities of color.

Black New Yorkers are nearly 2.5 times as likely to die from heat-stress than white New Yorkers and at younger ages due to social and economic disparities.[30] Structural racism has resulted in greater financial instability for Black New Yorkers due to higher unemployment rates, fewer job opportunities, and lower wages as well as neighborhood disinvestment, the legacy of racist housing policies, and less access to high-quality education and health care and affordable housing with air conditioning.[31]

These inequities have made Black New Yorkers much more likely to get sick and die due to extreme heat in part because they are more likely to develop multiple chronic medical conditions at younger ages.[32]

New York City communities of color lack access to resources to combat the disproportionate heat in their neighborhoods as race and household income are strongly correlated with access to air conditioning.[33] Deaths from heat stress are higher in neighborhoods where more than 30% of residents have a household income below the federal poverty line.[34]

Elderly New Yorkers are also at elevated risk to the dangerous effects of excessive heat.[35] The highest death rates due to heat stress in New York City and nationwide occur among people ages 60 and older.[36] They are more susceptible to heat-related health problems because they are more likely to have chronic health conditions and to take medications that contribute to heat intolerance.[37] People aged 60 years and older are also more likely than other groups to be socially isolated since they are less likely to be employed and may have fewer opportunities for other community

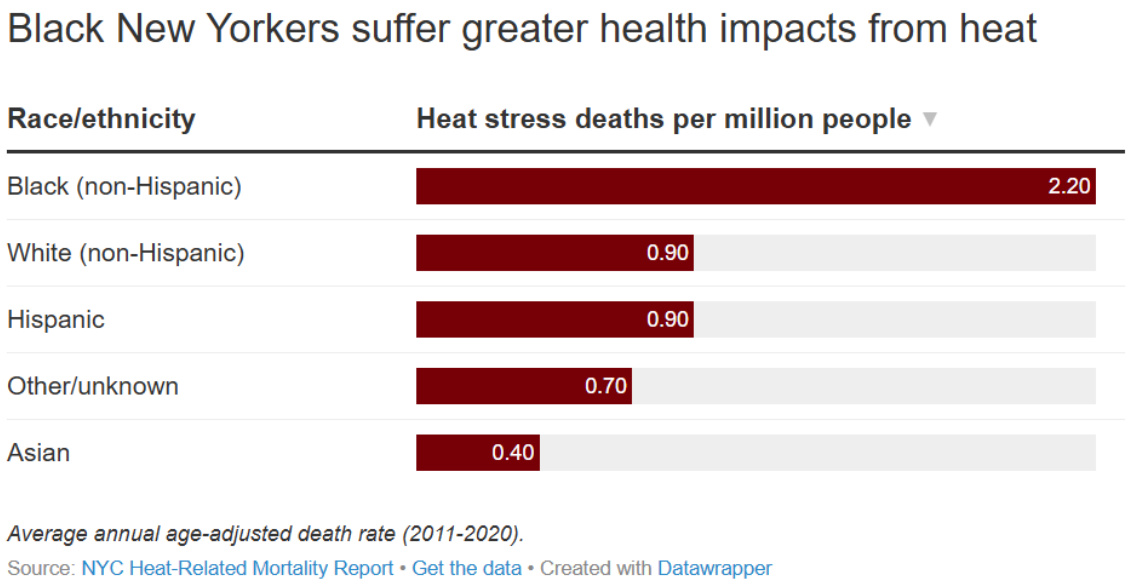


Figure 2. Heat Stress Deaths by Race

involvement, making the dangers of extreme heat even greater.[38] It can be difficult for older adults to notice if they are dehydrated or overheating. Older bodies trap more heat than younger bodies, their glands release less sweat, and their hearts do not circulate blood as well resulting in less heat being released from the skin, which is an essential bodily function to combat heat.[39]

Air conditioning can address some of these issues and there is pending legislation before the City Council that requires landlords to provide air conditioning, but preventing evictions during periods of extreme heat is a modest yet essential first step to ensuring that tenants at risk of homelessness are not facing serious injury or death during a heat wave.

EVICTIONS HAVE VIOLENT AND LIFE-THREATENING IMPACTS GENERALLY

Eviction is a violent disruption that has long-term destabilizing impacts. Over 16,000 New York City tenants and their families were evicted in 2024.[40]

Evicted tenants are often forced to relocate to poorer and higher-crime neighborhoods with lower performing schools and fewer job opportunities than those who move by choice.[41]

Mothers who are evicted are more likely to suffer from depression and experience elevated stress levels, and they and their children tend to have poorer health outcomes than those who were not evicted.[42]

The day an individual or family loses their home can be one of the worst days of their lives and can be life threatening as losing one's home can significantly increase the risk of suicide.[43]

Extreme heat amplifies the horrors associated with an eviction. Tenants facing eviction have a greater risk of heat-related health problems on the day of or immediately following an eviction.

Tenants may be packing up their belongings, and the physical intensity of packing up one's entire life during a heat wave poses major risks of heat exhaustion, dehydration, and other heat-related illnesses particularly for low-income tenants who are less likely to have access to air conditioning. A tenant attempting to stop an eviction must travel to court to file an emergency motion or have to travel to a shelter intake center in another borough. Subway platforms can be dangerously hot during a heat wave. [44] The platforms are often hotter than the outside temperature because of limited air flow, a lack of air conditioning, and heat generated by the trains braking and accelerating.[45]

Tenants facing eviction have a greater risk of heat-related health problems on the day of or immediately following an eviction.

On June 24th, when the temperature in New York City hit 100°F, an elderly Queens tenant travelling to Housing Court fell and injured herself, resulting in a hairline fracture. This same tenant had to leave court early due to heat-related illness.

Another Legal Services NYC client was evicted from her Bronx home on July 8th when temperatures in the Bronx reached 99°F.[46]

Becoming unhoused on a brutally hot day was particularly dangerous for this tenant as she is pregnant and therefore at higher risk of dehydration, heat exhaustion, and heat stroke.[47]

EVICTIONS DURING EXTREME HEAT HAVE DEADLY IMPACTS ON NEW YORK'S POOREST COMMUNITIES

When New Yorkers are evicted, they often rely on the shelter system. In New York, four in ten shelters do not have air conditioning, and only those shelter residents with documentation from a health care provider are entitled to an air-conditioned room and even then, relief is not guaranteed.[48]

Being unhoused dramatically increases the risk of heat-related medical issues. It exposes people to both the heat and direct sunlight for continuous and prolonged periods, and it limits people's access to air-conditioned spaces.[49] People experiencing homelessness are considered one of the most vulnerable populations to the health impacts of extreme weather.[50] People who are unhoused often have chronic health conditions that make them more vulnerable to extreme heat, and medications used to treat conditions that are prevalent among unhoused people, such as diuretics and anticholinergics, can interfere with proper body temperature regulation.[51]

Phoenix's Office of Heat Response and Mitigation estimates that unhoused and unsheltered people are at 200 to 300 times higher risk of heat-related death.[52] Unhoused New Yorkers face particular dangers during extreme heat events as they have heightened exposure to increased air pollutants during heat waves.[53] And, asthma is much more prevalent among low-income communities of color in New York due to much greater exposure to pollution. The Bronx, which had the most evictions in 2024,[54] has the highest rate of asthma in the country.[55]

Those who are at the highest risk of death and serious illness from extreme heat are also those who are most likely to be evicted. Communities of color, specifically Black and Latinx

communities, experience far more evictions than white communities. Areas of New York City with the highest rate of executed evictions are areas with a population of majority Black or Latinx residents.[56] Less than one in every five renters is Black, but over half of all eviction filings are against Black renters.[57]

New York City uses a Heat Vulnerability Index to rank neighborhoods from one to five, with five being the most heat-vulnerable. Factors that affect heat vulnerability include daily summer surface temperature, percentage of households with air conditioners, the amount of green space (trees, grass, or shrub cover), and median income.[58]

Legal Services NYC analyzed, using publicly available data from NYC Open Data, the locations of eviction proceedings across the City and determined that approximately 64% of evictions citywide from 2017 to 2025 occurred in areas where the Heat Vulnerability Index is four or five. The maps below demonstrate the heightened risks that low-income tenants at risk of eviction face as a result of the interconnectedness of heat vulnerability and poverty.

Approximately 64% of evictions citywide from 2017 to 2025 occurred in areas where the Heat Vulnerability Index is four or five.

The maps below include a Heat Vulnerability Index Map of NYC and an overlay map of eviction cases citywide on top of the City's heat vulnerability data.

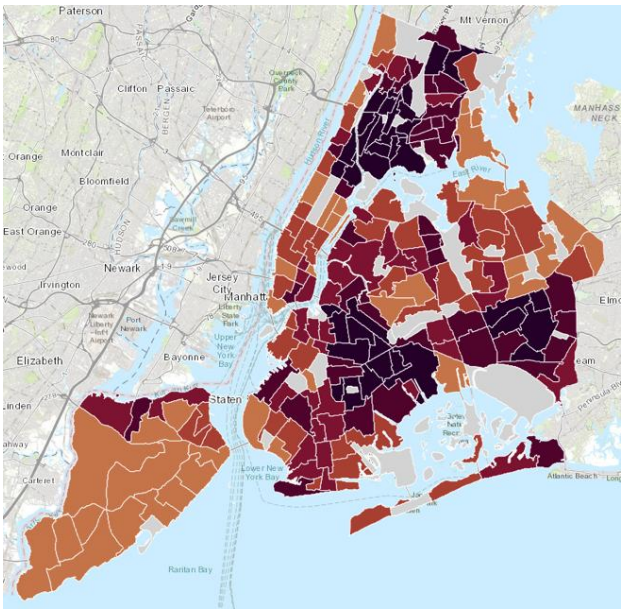


Figure 3. Heat Vulnerability Index Map of NYC with dark red indicating higher heat vulnerability index scores.

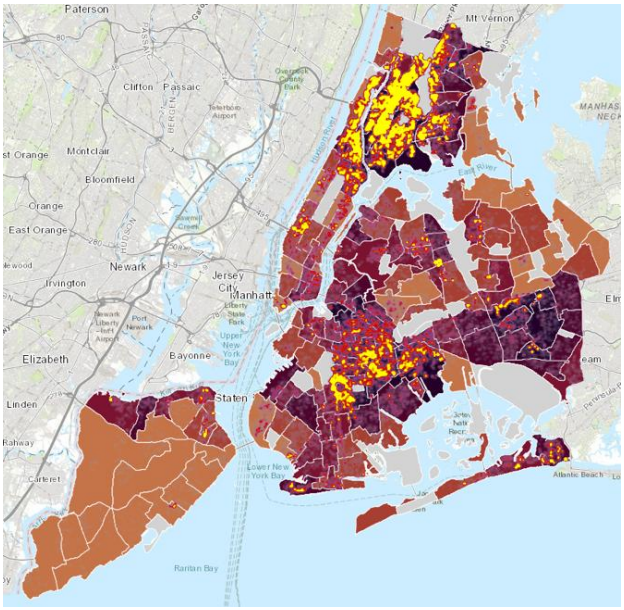


Figure 4. An overlay of NYC eviction cases citywide from 2017 to 2025 (in yellow) over the City's heat vulnerability data

THE CITY RECOGNIZES THE PROBLEM BUT HAS FAILED TO RESPOND TO THE CRISIS

The City recognizes that for the unhoused, extreme heat is a real threat as it has created policies to reduce barriers to shelter during periods of extreme heat, yet the City allows the marshals it oversees to render a new class of New Yorkers unhoused during periods of significant heat. The City's current policies protecting residents from extreme heat do not go far enough.[59] The Department of Homeless Services has a "Code Red" protocol designating different levels of emergency response based on the temperature.[60] During a "Heat Emergency," more cooling centers are open, there is more outreach to unhoused New Yorkers, anyone who needs shelter can access it without undergoing the typical intake and screening requirements, shelter residents cannot be suspended from shelter, and those who have been sanctioned are allowed to return to shelter during the emergency period.[61]

On June 20, 2025, Mayor Adams warned New Yorkers "Summer in the city is here—and so is our first heat wave of the year. This extreme heat will not just be uncomfortable and oppressive, it will be brutal, and it will be dangerous to those who spend extended periods outside. This week's heat wave could be deadly and life threatening if you are not prepared."[62] Yet on June 23rd, the first day of the heat wave when temperatures soared to 94°F with a heat index that made it feel like 104°F,[63] 60 New Yorkers and their families were evicted.[64]

Similarly, during other periods of extreme heat, the City failed to act as in the case of the Legal Services NYC pregnant client who was evicted from her Bronx home on July 8th when the temperature in the south Bronx reached a "feels-like" temperature of 99.9°F.[65] Legal Services NYC attempted to prevent this eviction and was informed by the assigned marshal that they would not hold off on executing the eviction despite the heat and risk to the tenant. 68 households were evicted that same day across the City.[66]

From January 1, 2017 to June 30, 2025, a whopping total of 7,554 evictions occurred on days when the temperature exceeded 90°F

On July 22, 2024, the hottest day of 2024, 59 New Yorkers and their families were evicted.[67] During a heat wave that swept the nation in 2019, 166 New Yorkers were evicted on July 19 and July 22.[68] Legal Services NYC analyzed publicly available data on evictions and maximum temperatures around the City and determined that from January 1, 2017 to June 30, 2025, a whopping total of 7,554 evictions occurred on days when the temperature exceeded 90°F. That's an average of 58 households evicted per day across the city on these days.

There is precedent for the City and State taking action to stop eviction in cases of extreme weather and public health emergencies. For example, the State enacted an eviction moratorium during the COVID-19 pandemic.[69]

The City also suspended evictions in November 2012 following Hurricane Sandy, and the New York City Housing Authority extended the

suspension through February 2013 for its public housing units affected by the storm.[70]

And, during the extreme heat in late June and on several brutally hot days in late July this summer, the Department of Investigation (DOI), which oversees city marshals, instructed the marshals to suspend all evictions.[71]

Unfortunately, those notices were not issued until the day prior, so tenants did not have time to plan and could have been taking steps to plan for eviction that would put them at risk such as packing up their home or travelling to court during dangerously hot weather. The Department of Investigation needs to implement a policy, rather than an ad hoc day by day response, that makes it clear when it is too dangerous to evict.

The City defines extreme heat as a period where two or more days with a heat index reaching 95°F, or one or more days reaching 100°F.[72] This definition is not suitable when developing a policy to determine when it is too dangerous to render people homeless. Any day where the heat index reaches above 90°F is dangerous to become unhoused as the body's ability to offset heat dissipates.[73] The DOI needs to enact a clear and consistent policy that pauses all evictions on days that cross this threshold to address this public health concern.

Several localities have recognized the acute dangers of evictions during extreme weather events and have taken action. The Sonoma County Board of Supervisors in northern California adopted an ordinance in September 2024 that prohibits evictions during a state of emergency.[74] Maryland also recently passed a law that pauses evictions in the event of extreme weather conditions, which includes an excessive heat warning issued by the National Weather Service.[75] During the June heat wave that plagued the East Coast, Baltimore City Sheriff's Office announced a suspension of evictions from June 22–June 26, 2025.[76]

Meanwhile, 60 households were evicted in New York City on June 23, 2025, when the actual temperature was 94°F and with the heat index it felt like 104°F.

The City's current policies protecting residents from extreme heat do not go far enough.

Other jurisdictions, such as Washington, DC[77], Cook and County, Illinois[78], have recognized that evictions during extreme cold are dangerous and have policies in place to protect tenants. While the dangers of the cold have been known for many years, the dangers of extreme heat are one of the new climate-related realities cities must now confront. As climate change intensifies extreme weather events across all seasons, New York City has an opportunity to be a national leader by implementing a policy that suspends evictions during heat emergencies thereby protecting its most vulnerable residents when they need shelter most.

CONCLUSION AND RECOMMENDATION

The City can and must act to protect its most vulnerable residents during extreme heat.

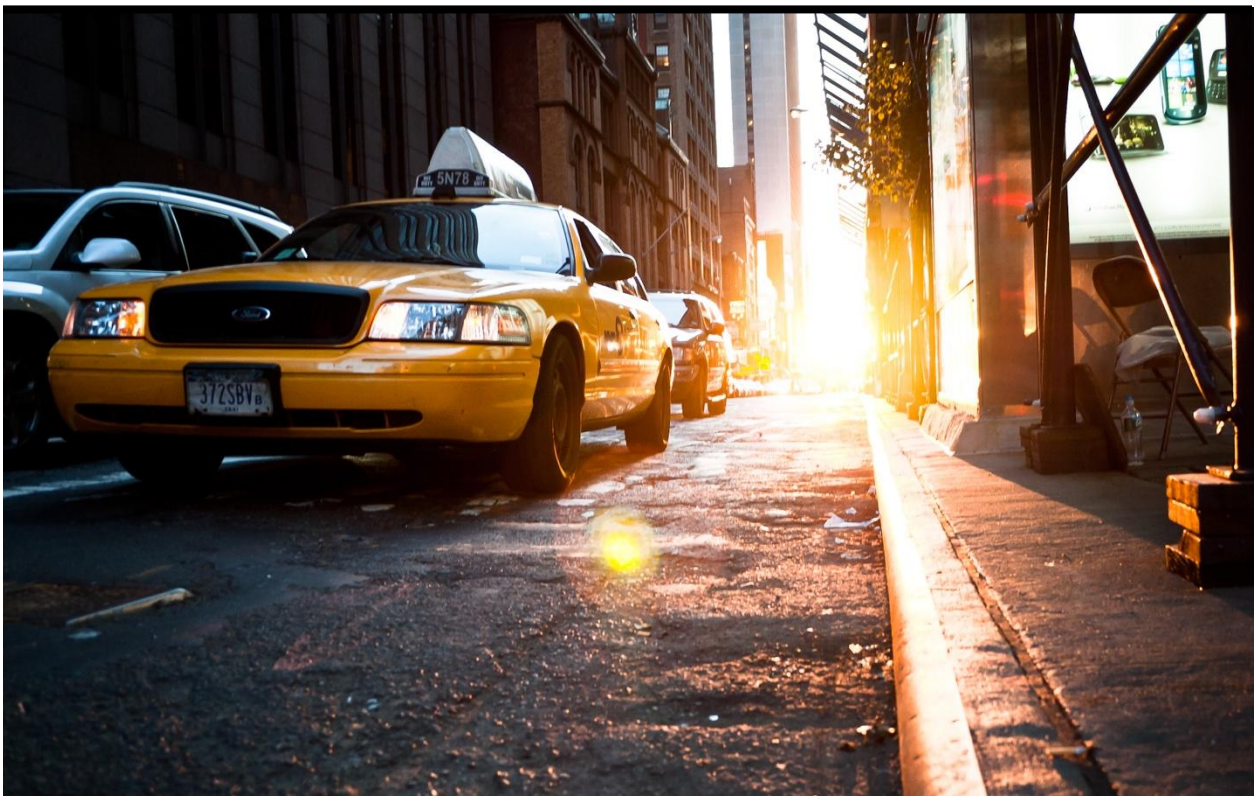
Allowing evictions to occur when it puts New Yorkers at risk of serious harm or even death is inhumane. A very modest first step is for the Department of Investigation to adopt a policy that universally suspends evictions during heat events as defined by any day that the temperature, including the heat index, is projected to be above 90°F. Such a policy is essential to protect the most vulnerable New Yorkers from heat-related illness or even death.

The City has already demonstrated that suspending evictions during extreme heat is feasible as it suspended evictions several times this summer during excessive heat. By establishing a uniform standard that suspends evictions when the heat index exceeds 90°F,

The City can and must act to protect its most vulnerable residents during extreme heat.

New York City can prevent unnecessary illness and death, reduce strain on emergency services and the shelter system, and demonstrate that basic human dignity and public health are paramount.

This policy recognizes that no New Yorker should be forced onto dangerous streets when extreme heat turns housing displacement into a potential death sentence.



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