

NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

State Housing Laws and Legislation to Ensure Housing Rights for Survivors of Violence against Women

Domestic and sexual violence are leading causes of homelessness nationally, especially for women. In varying regions around the country, significant percentages of homeless women report that domestic violence was the immediate cause of their homelessness. Up to 100% of homeless women have experienced domestic or sexual violence at some point in their lives. Some survivors and their families become homeless when they flee abuse. Others become homeless upon being denied alternate housing or after being wrongfully or discriminatorily evicted from their current housing as a result of the violence against them.

The following is a compilation of existing state laws and pending state legislation that are designed to counteract some of the common legal problems in housing that victims face. The chart also is indexed by the type of provision. The list includes measures that: prohibit housing discrimination against victims of abuse; allow a battered tenant to terminate the lease early to flee violence; provide a defense to eviction for battered tenants in housing court; prohibit landlords from refusing to permit battered tenants to summon police or request emergency assistance; requiring landlords to change the locks of a battered tenant; and other provisions.

NLCHP works as the legal arm of the movement to prevent and end homelessness in the U.S., including by working explicitly to improve access to housing for survivors of violence against women and their families. Additional information about NLCHP's Domestic Violence Program is available online at http://www.nlchp.org/FA_DV/index.cfm

Current State Laws: By Type of Law

	State	Citation	Summary
Housing anti-discrimination	District of Columbia	B16-703 D.C. Council (2006) (passed full Council; to Mayor for signature; to Congress for review)	Amends D.C. human rights code to add "status as a victim of an intrafamily offense" to the classes of individuals protected from discrimination in rental or sale of real estate or other housing transactions. Also prohibits: refusals to make reasonable accommodations to premises when necessary for safety or confidentiality of a victim of an intrafamily offense; failing to allow a tenant to terminate a lease early under D.C.'s early lease termination provision (see below); and barring or limiting the right of any victim to call the police or emergency assistance (see below).
	Illinois	820 ILL. COMP. STAT. 180/30 (2006)	Prohibits discrimination against victims of domestic violence, sexual assault, or stalking in public assistance, which is defined to include housing assistance provided on basis of income by a state agency.
	North Carolina	N.C. GEN STAT. § 42-47(a) (2006)	Prohibits a landlord from terminating a tenancy, failing to renew a lease, or otherwise retaliating in rental of a dwelling based on tenant or household member's status as a victim of domestic violence or because tenant terminated a lease under early termination provision (see below).

Housing anti-discrimination (continued)	Rhode Island	R.I. GEN. LAWS §§ 34-37-1, -2, -3, -4 (2006)	Prohibits housing discrimination against victims of domestic abuse by requiring that a landlord or mortgage lender may not terminate a lease or otherwise discriminate against a tenant or applicant because that tenant, applicant, or member of his or her household is, has been, or is threatened with being the victim of domestic abuse or has obtained, sought, or is seeking a restraining order. The law also allows a landlord to evict any household member who is committing domestic abuse.
	Washington	WASH. REV. CODE § 59.18.580 (2006)	Prohibits housing discrimination against victims of domestic violence, sexual assault, and stalking. A landlord may not terminate a tenancy, fail to renew a tenancy, or refuse to enter into a rental agreement based on the tenant's, applicant's, or household member's status as a victim of domestic violence, sexual assault, or stalking. In addition, a landlord may not discriminate against a tenant or applicant because the tenant or applicant has terminated a rental agreement under the state's early lease termination provision (see below). Tenant or applicant may bring a civil action and recover damages, court costs, and reasonable attorney's fees.
	Westchester County, New York	Westchester County Code §§ 700.02, 700.05, 700.11(h)(2) (2006)	This ordinance prohibits housing discrimination against victims of domestic violence, sexual assault, or stalking in Westchester County. To claim protection under the law, an individual must provide the landlord or owner with specified documentation, which is subject to the strictest confidentiality.
Early lease termination by battered tenant	Colorado	COLO. REV. STAT. § 38-12-402(2) (2006)	Permits a victim of domestic violence to terminate his or her lease immediately and pay only the next month's rent without further liability. The tenant must inform the landlord that he or she is a victim of domestic violence and must provide the landlord with a court order or a police report from within the last 60 days that documents the incidence of domestic violence.
	Delaware	S.B. 274, 143rd Gen. Ass. (Del. 2006) (signed by governor)	Permits early lease termination by a victim of domestic violence, domestic abuse, sex offense, or stalking when a victim provides 30 days written notice and documentation of the violence. The documentation requirement can be satisfied with a court order or by a "reliable third party professional," including a law enforcement officer or agency, a sexual assault service provider, or a health care provider.
	District of Columbia	B16-703 D.C. Council (2006) (passed full Council; to Mayor for signature; to Congress for review)	Permits early lease termination by a victim of an intrafamily offense when a victim provides a court order or documentation by a "qualified third party," including a law enforcement officer, D.C. Housing Authority public safety officer, domestic violence counselor, or health professional showing that the tenant or household member is a victim of an intrafamily offense. The termination request must occur within 90 days of the violent incident. Tenant financial obligation continues for 14 days after the termination request, unless the unit is filled beforehand. Also, failure to allow a victim to terminate the lease early constitutes discrimination under the D.C. Human Rights Act (see above).

Early lease termination by battered tenant (continued)	Illinois	Public Act 094-1038 (effective January 1, 2007)	Permits early lease termination without further obligation if a court finds that a tenant or a member of tenant’s household faced a “credible imminent threat” of domestic or sexual violence, and tenant gave written notice to landlord prior to or within three days of vacating that he or she left because of the threat. Permits early lease termination without further obligation if the tenant or a member of tenant’s household provides evidence of sexual violence, and the tenant gave written notice to the landlord prior to or within three days of vacating that he or she vacated because of sexual violence. The violence can be shown with a statement from an employee of a rape crisis or victim services organization or a police, court, or medical report from within the last 60 days that documents the incidence of violence, unless the victim was unable to do so “because of reasons related to the sexual violence.”
	North Carolina	N.C. GEN STAT. § 42-45.1 (2006)	Allows any tenant who is, or who has a household member who is, a victim of domestic violence, sexual assault, or stalking to terminate his or her rental lease by providing the landlord with at least 30 days written notice. The notice must be accompanied by a copy of a court-issued protection order or a police report regarding the incident of domestic violence, sexual assault, or stalking. These provisions may not be waived or modified by agreement of the parties.
	Oregon	OR. REV. STAT. § 90.453 (2006)	A tenant who provides verification that he or she has been the victim of domestic violence, sexual assault, or stalking in the past 90 days may terminate his or her lease upon 14 days’ written notice to the landlord. The tenant is not subject to any fee solely because of the termination of the rental agreement and is not liable for rent or damages to the dwelling beyond that date.
	Texas	TEX. PROP. CODE § 92.016 (2006)	If a tenant or an occupant is a victim of domestic violence and presents the landlord with a copy of a protection order or court-issued temporary injunction, the tenant may terminate the lease immediately and will not incur liability after he or she moves out of the dwelling.
	Washington	WASH. REV. CODE § 59.18.352 (2006) (Threats)	A tenant or co-tenant who has been threatened by another tenant may terminate rental agreement without further obligation if: 1) tenant informs landlord that he or she has been threatened; 2) threatening tenant was arrested; and 3) landlord does not file an unlawful detainer action against threatening tenant within seven days of notification of the arrest. What constitutes a “threat” is defined by the criminal code at WASH. REV. CODE § 9A.04.110(25). A legislative intent section describes factual and policy rationales behind the law’s enactment.
	Washington	WASH. REV. CODE § 59.18.575 (2006) (Specific victims)	If a tenant notifies the landlord in writing that the tenant or another household member was the victim of domestic violence, sexual assault, or stalking, and either 1) tenant has a valid protection order against perpetrator, or 2) tenant has written record of tenant’s report of incident to a specified third party, tenant may terminate rental agreement with no further obligation after end of the month when incident occurred. Tenant must request to terminate rental agreement within 90 days of the act giving rise to the protection order or report. Landlord may not discriminate against an individual because he or she has terminated a lease under this provision (see above).

Eviction defense – general	Colorado	COLO. REV. STAT. § 13-40-104 (2006)	Provides victim of domestic violence with a defense against landlord’s proceeding for unlawful detention when the domestic violence was the cause of the alleged unlawful detention and where abuse has been documented by a police report or civil or emergency protection order.
	District of Columbia	B16-703 D.C. Council (2006) (passed full Council; to Mayor for signature; to Congress for review)	Provides the victim of an intrafamily offense with an absolute defense to an action for possession when the landlord seeks to evict the victim because of the intrafamily offense or actions relating to it. To invoke an absolute defense, the victim must have received a temporary or civil protection order that orders the respondent to vacate the home. If the victim has filed for a protection order or provides the court with a police report, the court shall have discretion not to enter a judgment for possession against the victim tenant.
	Minnesota	MINN. STAT. § 504B.285 (2006)	In an eviction proceeding, a tenant may raise as a defense his or her right to contact police or emergency services (see “Calling Police,” below) in response to domestic abuse when the eviction is intended as a penalty for the tenant’s good faith attempt to secure that right.
	Washington	WASH. REV. CODE § 59.18.580 (2006)	Explicitly allows a tenant who has been discriminated against in violation of WASH. REV. CODE ANN. § 59.18.580(1) (prohibiting housing discrimination; see above) to use the fact of that discrimination as a defense in an unlawful detainer action initiated by the landlord.
Eviction defense – criminal activity	Colorado	COLO. REV. STAT. § 13-40-107.5(5)(c) (2006)	Provides a defense against eviction for a victim of domestic violence when the landlord seeks to evict the victim on the grounds that the tenant or the tenant’s guest committed a crime or dangerous act on or near the premises. To invoke the defense, the tenant’s status as a victim of domestic violence must be documented by the filing of a police report or the issuance of a restraining order.
	Iowa	IOWA CODE §§ 562A.27A, 562B.25A(3) (2006)	Provides a defense against eviction for victims of domestic violence when the landlord seeks to evict the victim on the grounds that the tenant’s activities create a “clear and present danger” to others. To invoke the defense, a victim of domestic violence must provide written proof that the activities creating the danger were conducted by a person other than the tenant, and that the tenant either sought a protection order against the person creating the danger or reported the person creating the danger to a law enforcement agency in an effort to initiate criminal action. The landlord must give the tenant written notice of the intention to terminate the tenancy and must inform the tenant in writing of the existence of the specific defenses described above.
	Louisiana	LA. REV. STAT. § 40:506(D) (2006)	Provides a defense against eviction for victims of domestic violence when landlord seeks to evict victim on grounds that tenant or tenant’s guests has engaged in unlawful criminal behavior. Housing authorities may not terminate tenancy of a residency on grounds of domestic abuse, dating violence, or family violence against a resident. Housing authorities may, however, terminate tenancy of perpetrator of the abuse or violence. Additionally, no person may be considered a guest or invitee of a member of a household (for the purposes of the landlord’s termination of the tenancy for criminal behavior) without the consent of the head of household or a member of household. Consent is automatically withdrawn when a guest or invitee is a perpetrator of an act of domestic abuse, dating violence, or family violence.

Eviction defense – criminal activity (continued)	New Mexico	N.M. STAT. ANN. § 47-8-33(J) (2006)	Provides a defense from eviction for a victim of domestic violence if landlord tries to evict tenant on the grounds that tenant committed or allowed another person to commit a substantial violation of the lease. If the tenant had applied for or received a restraining order previously, or as a result of the incident leading to the eviction notice, the tenant may not be evicted. In all other cases where domestic violence was raised as a defense, the court has the discretion to evict the resident accused of the violation while allowing the remaining tenant(s) to continue to reside in the unit.
	Virginia	VA. CODE ANN. § 55-248.31 (2006)	Effective July 1, 2006. Provides a defense against eviction for a victim of family abuse when landlord seeks to evict victim on grounds that victim or victim’s guest has engaged in a criminal or willful act that poses a threat to health or safety. The tenant must provide written documentation of the tenant’s status as a victim of family abuse within 21 days of the alleged offense. The tenant also must promptly notify the landlord if the perpetrator returns to the premises in violation of a bar notice, unless the tenant can demonstrate that the tenant had no knowledge of the violation.
	Washington	WASH. REV. CODE § 59.18.130 (8)(b)(ii) (2006)	Under state law generally, a landlord may evict a tenant who has engaged in activities “immediately hazardous” to safety of others (because they entail physical assaults or use of deadly weapon and result in arrest). No part of that law may be used to terminate tenancy or evict victim of a physical assault or threatened use of a firearm or other deadly weapon.
	Wisconsin	WIS. STAT. ANN. § 106.50(5m)(d) (2006)	Prohibits a landlord from using an individual’s status as a victim of domestic abuse to claim that the individual’s tenancy would constitute a direct threat to the safety of other persons or would result in substantial damage to property. Under state law, a landlord would otherwise be able to deny housing to an individual whose tenancy was such a threat.
Calling police	Arizona	ARIZ. REV. STAT. ANN. §§ 33-1315, 33-1414 (2006)	A rental agreement may not contain provisions that waive or limit tenant’s right to summon peace officer or emergency assistance in response to an emergency, or that allow tenant to agree to pay monetary or other penalties for summoning such assistance for an emergency.
	Colorado	COL. REV. STAT. § 38-12-402(1) (2006)	Residential rental or lease agreements may not contain provisions that allow the landlord to terminate the lease or to impose a penalty on a tenant for calls made to a peace officer or other emergency assistance in response to a domestic violence situation. This right to contact police or emergency services is non-waivable.
	District of Columbia	B16-703 D.C. Council (2006) (passed full Council; to Mayor for signature; to Congress for review)	A landlord may not bar or limit a tenant’s, or any member of a tenant’s household’s, right to call police or emergency assistance in response to an intrafamily offense and may not impose any penalty on the tenant for exercising this right. This right is non-waivable. In addition, barring or limiting a tenant’s right to call police in response to an intrafamily offense constitutes discrimination under the D.C. Human Rights Code (see above).
	Minnesota	MINN. STAT. § 504B.205 (2006)	A landlord may not bar or limit a tenant’s right to call for police or emergency assistance in response to domestic abuse and may not impose a penalty on the tenant for exercising that right. This right to contact police or emergency services is non-waivable. If the landlord violates the right, the tenant may bring a civil action against the landlord and recover the greater of actual damages or \$250, plus reasonable attorney’s fees.

Calling police (continued)	Texas	TEX. PROP. CODE § 92.015 (2006)	A landlord may not prohibit or limit a tenant's right to summon police or emergency services in response to family violence and may not impose monetary penalties on any tenant who invokes that right. Any provision in the lease limiting this right is void. The tenant whose right has been violated may recover against the landlord: civil penalty equivalent to one month's rent; actual damages incurred from the violation; court costs (including reasonable attorney's fees); and injunctive relief.
Lock changes	District of Columbia	B16-703 D.C. Council (2006) (passed full Council; to Mayor for signature; to Congress for review)	Upon request of a victim of an intrafamily offense, a housing provider must change the locks to all apartment entrance doors, provided that if the perpetrator is a co-tenant, the victim provides the landlord with a copy of a temporary or civil protection order that includes a stay-away or vacate provision. Upon receiving a copy of the court order, the landlord shall not provide the perpetrator with keys or access to the unit, unless the court orders that the perpetrator be allowed to return to the unit. The landlord may charge a fee to the tenant for the cost of the change. The landlord is not liable to the perpetrator for any damages as a result of actions taken to comply with this provision. The perpetrator is not relieved of any rental obligation or liability to the landlord.
	Illinois	Public Act 094-1038 (effective January 1, 2007)	If a tenant provides evidence of domestic or sexual violence, and written notice from all tenants who are lessees under the lease, the landlord must change the tenant's locks or given the tenant permission to do so within 48 hours of the tenant's request if there is a reasonable belief that the tenant, or a member of tenant's household is under a "credible imminent threat" of domestic or sexual violence by someone who is not a lessee under the lease. Evidence of domestic or sexual violence is provided by court, medical, or police reports, or by a statement from an employee of a rape crisis or victim services organization. The landlord may charge a fee to the tenant for the cost of the change. If the landlord fails to change the locks within that period, the tenant may do so without the landlord's permission, and provide the landlord with a copy of the key within 48 hours.
	North Carolina	N.C. GEN STAT. §§ 42-47(b), (c), (d) (2006)	Requires landlord to promptly change locks of tenant who requests it and who has provided actual or written notice of the tenant's status as a victim of domestic violence, sexual assault, or stalking to the landlord. If the alleged perpetrator of the violence is a tenant in the same unit as the victim, the tenant must provide the landlord with a copy of a court order requiring the perpetrator to move out of the dwelling. The landlord has no duty to provide keys or access to the perpetrator during the period when the move-out order is in effect.
	Oregon	OR. REV. STAT. § 90.459 (2006)	If tenant gives actual notice to landlord that he or she has been a victim of domestic violence, sexual assault, or stalking, landlord must change tenant's locks or give tenant permission to change locks upon tenant's request. If perpetrator of the violence is also a tenant in victim's unit, and the victim has a court order requiring the perpetrator to move out of the unit, the landlord has no duty to allow the perpetrator access to the unit or the perpetrator's personal property within the unit and is exempt from liability from the perpetrator for so doing.

Lock changes (continued)	Utah	UTAH CODE ANN. § 57-22-5.1 (2006)	Allows a victim of domestic violence, stalking, sexual abuse, dating violence, or burglary to present evidence of those acts (documented by a protection order or police report) to his or her landlord, at which point the landlord must change tenant's locks.
	Virginia	VA. CODE ANN. §§ 55-225.5, 55-248.18:1 (2006)	If a tenant provides his or her landlord with a court order granting the tenant possession of the dwelling to the exclusion of one or more co-tenants, the landlord must install a new lock or other security devices in the dwelling or permit the tenant to do the same. The cost will be charged to the tenant at the actual cost paid by the landlord. The landlord may not provide a copy of any keys to the dwelling to any individual excluded by the court order. These provisions are not applicable when the court order granting possession was issued ex parte.
	Washington	WASH. REV. CODE § 59.18.585 (2006)	If a tenant provides the landlord with a copy of a court order giving him or her possession of a dwelling to the exclusion of one or more co-tenants, the landlord must change the lock on the dwelling and is prohibited from providing new keys to the excluded tenant.
Eviction reporting by public housing authority	California	CAL. HEALTH AND SAFETY CODE § 34328.1 (2006)	Each housing authority must provide an annual report of its complete activities for the year and recommendations for needed legislation. Such reports must include data on termination of tenancies of domestic violence victims residing in housing authority units and the housing authority's Section 8 voucher properties, whether or not the termination was based in whole or in part on activity related to the domestic violence. The report must specify steps that the housing authority has taken to assist the victim prior to the termination and (if known) the victim's subsequent housing arrangements.
Possession of property and exclusion of abuser	Louisiana	LA. REV. STAT. ANN. § 6:2136(A)(2) (2006)	In a proceeding for a domestic violence protection order, a judge may grant possession of residential housing to a victim of domestic violence who has been awarded temporary custody of the minor children born of both parties. The judge may exclude the abuser from the residence even if the residence is solely owned by the abuser.
Emergency housing assistance	Connecticut	CONN. GEN. STAT. ANN. § 17b-808 (2006)	Special needs benefit for emergency housing is available to any person who receives temporary family assistance program benefits or optional state supplementation and who has fled permanent housing to escape domestic violence.

Current State Laws: By State

	Type of law	Citation
Arizona	Calling police	ARIZ. REV. STAT. ANN. §§ 33-1315, 33-1414 (2006)
California	Eviction reporting	CAL. HEALTH AND SAFETY CODE § 34328.1 (2006)
Colorado	Early lease termination Eviction defense Calling police	COLO. REV. STAT. § 38-12-402(2) (2006) COLO. REV. STAT. §§ 13-40-104, 13-40-107.5(5)(c) (2006) COLO. REV. STAT. § 38-12-402(1) (2006)
Connecticut	Emergency housing assistance	CONN. GEN. STAT. ANN. § 17b-808 (2006)
Delaware	Early lease termination	S.B. 274, 143rd Gen. Ass. (Del. 2006) (signed by governor)
District of Columbia	Housing anti-discrimination Early lease termination Eviction defense – general Calling police; lock changes	B16-703 D.C. Council (2006) (passed full Council; to Mayor for signature; to Congress for review)
Iowa	Eviction defense – criminal activity	IOWA CODE §§ 562A.27A & 562B.25A(3) (2006)
Illinois	Housing anti-discrimination Early lease termination Lock changes	820 ILL. COMP. STAT. 180/30 (2006) Public Act 094-1038 (effective January 1, 2007) Public Act 094-1038 (effective January 1, 2007)
Louisiana	Eviction defense – criminal activity Possession/exclusion	LA. REV. STAT. ANN. § 40:506(D) (2006) LA. REV. STAT. ANN. § 46:2136(A)(2) (2006)
Minnesota	Eviction defense – general Calling police	MINN. STAT. § 504B.285 (2006) MINN. STAT. § 504B.205 (2006)
New Mexico	Eviction defense – criminal activity	N.M. STAT. ANN. § 47-8-33(J) (2006)
North Carolina	Housing anti-discrimination Early lease termination Lock changes	N.C. GEN. STAT. § 42-47(a) (2006) N.C. GEN. STAT. § 42-45.1 (2006) N.C. GEN. STAT. §§ 42-47(b), (c), and (d) (2006)
Oregon	Early lease termination Lock changes	OR. REV. STAT. § 90.453 (2006) OR. REV. STAT. § 90.459 (2006)
Rhode Island	Housing anti-discrimination	R.I. GEN. LAWS §§ 34-37-1, -2, -3, -4 (2006)
Texas	Calling police Early lease termination	TEX. PROP. CODE ANN. § 92.015 (2006) TEX. PROP. CODE ANN. § 92.016 (2006)
Utah	Lock changes	UTAH CODE ANN. § 57-22-5.1 (2006)
Virginia	Lock changes Eviction defense – criminal activity	VA. CODE ANN. §§ 55-225.5, 55-248.18:1 (2006) VA. CODE ANN. § 55-248.31 (2006)
Washington	Housing anti-discrimination Early lease termination Eviction defense Lock changes	WASH. REV. CODE ANN. § 59.18.580 (2006) WASH. REV. CODE ANN. §§ 59.18.352, 59.18.575 (2006) WASH. REV. CODE ANN. §§ 59.18.580, 59.18.130(8)(b)(ii) (2006) WASH. REV. CODE ANN. § 59.18.585 (2006)
Westchester County, NY	Housing anti-discrimination	Westchester County Code §§ 700.02, 700.05, 700.11(h)(2) (2006)
Wisconsin	Eviction defense – criminal activity	WIS. STAT. ANN. § 106.50(5m)(d) (2006)

Pending State Legislation: By Type of Provision

	State	Citation	Summary
Housing anti-discrimination	California	S.B. 1745, 2005-06 Reg. Sess. (Cal. 2006)	Amends the state fair housing law to include discrimination against a person because he or she is a victim of domestic violence, sexual assault, or stalking in housing accommodations as a form of sex discrimination. Clarifies that any housing preference for victims of domestic violence, sexual assault, or stalking is permissible.
	Hawaii	H.B. 2021, 22nd Leg., Reg. Sess. (Haw. 2004)	Amends the state fair housing law to prohibit discrimination against victims of domestic violence (and discrimination based on source of income) in any real estate transaction. Previously introduced bills include S.B.2464 & H.B.2121, 21st Leg. (Haw. 2002).
	Indiana	S.B. 254, 94th Gen. Assem., 2d Reg. Sess. (Ind. 2006)	A landlord may not terminate a lease, refuse to renew a lease, refuse to enter into a lease, or retaliate against a tenant because the tenant, a rental applicant, or a household member is a victim of domestic or family violence, a sex offense, or stalking, or because a victim terminated a lease early under the bill's early lease termination provision (see below).
	Kansas	H.B. 2864, 80th Leg., Reg. Sess. (Kan. 2004)	Amends the state fair housing law to prohibit discrimination against victims of domestic violence in any real estate transaction.
	Massachusetts	S.B. 2328, 184th Gen. Ct., Reg. Sess. (Mass. 2005)	A landlord may not terminate a tenancy, fail to renew a tenancy, or refuse to enter into a rental agreement based on tenant's status as victim of domestic violence or based on tenant's termination of a lease under early lease termination procedure described below. Tenant screening service provider may not include in an oral or written report to landlord information regarding acts of domestic violence, tenant's status as victim of domestic violence, or tenant's prior early termination of lease under early termination provisions.
	New York	S.B. 4112, A.B. 6282, 228th Ann. Leg. Sess. (N.Y. 2005)	Includes status as a victim of domestic violence to the list of bases that may not be lawfully relied on when denying an individual the right to purchase, rent, lease, or inhabit housing accommodations. An individual's status as a victim may be documented in various ways. Prohibits any person or entity from obtaining or providing information relating to the status of a person as a victim of domestic violence or stalking.
	New York City	Intro 149-2006 (N.Y. City Council)	This local ordinance prohibits discrimination against victims of domestic violence, sexual assault, or stalking in the sale, rental, or lease of a dwelling.
	Oregon	H.B. 3290, 72nd Leg. Ass. (Or. 2003)	This proposal would have amended the state's fair housing laws to prohibit any discrimination against "victims of domestic violence, sexual assault or stalking" in rental, sale, lease, or other real estate-related transactions.
Early lease termination by battered tenant	California	S.B. 1745, 2005-06 Reg. Sess. (Cal. 2006)	Permits early lease termination by victim of domestic violence, sexual assault, or stalking, if victim can demonstrate through domestic violence protective order or through written documentation from qualified third party and submits written request to landlord within 90 days of the incident. "Qualified third party" includes law enforcement officers, victim social or legal services providers, health care practitioners, or members of the clergy.
	Florida	H.B. 1517, 107th Reg. Sess. (Fla. 2005)	Allows victim of domestic violence with protection order to terminate lease early upon providing the landlord with written notice and a copy of the order within 15 days of the order. Requires the victim to report the incident of violence and comply with prosecution.

Early lease termination by tenant (cont'd)	Illinois	H.B. 4715, 94th Gen. Ass. (Ill. 2006)	Permits early lease termination by victim of domestic or sexual violence when victim provides landlord with 30 days written notice and documentation of violence. Documentation requirements vary depending on whether or not perpetrator is leaseholder. The provision enforceable through explicit private right of action against landlord.
	Indiana	S.B. 254, 94th Gen. Assem., 2d Reg. Sess. (Ind. 2006)	Permits early lease termination by a victim of domestic or family violence, a sex offense, or stalking when a victim provides the landlord with 30 days written notice and documentation of the violence. The documentation requirement can be satisfied in various ways.
	Kansas	H.B. 2864, 80th Leg., Reg. Sess. (Kan. 2004)	Exempts domestic violence victims from provision of landlord-tenant law prohibiting tenant from terminating lease because of condition caused by tenant, person, or animal on premises with tenant's consent. Allows battered tenant to terminate month-to-month tenancy upon written notice to landlord using specified documentation.
	Massachusetts	S.B. 2328, 184th Gen. Ct., Reg. Sess. (Mass. 2005)	Allows victim of domestic violence, rape, sexual assault, or stalking to terminate tenancy by providing landlord with copy of a protection order, police report, or documentation of consultation with one of a variety of defined service providers, if it is within 90 days of the last reported incident of domestic violence. After terminating the lease, the tenant is free from liability for future rent and is entitled to a pro rata return of pre-paid rent.
	Michigan	S.B. 808, 93rd Leg., Reg. Sess. (Mich. 2005)	Allows victim of domestic assault to terminate lease early when victim provides written notice to landlord and documentation of assault. Documentation may be satisfied by police report or personal protection order. All rental agreements must include this provision.
	New York	A.B. 10030, 228th Ann. Leg. Sess. (N.Y. 2005)	This bill permits a domestic violence victim who has a domestic violence protection order to terminate a lease early without penalty.
	New York City	Intro 149-2006 (N.Y. City Council)	This bill allows battered tenant to terminate the rental agreement without further obligation upon providing documentation of violence, sexual assault, or stalking to the landlord.
	Utah	H.B. 194, 56th Leg., Reg. Sess. (Utah 2005)	Allows victim of domestic violence to void rental agreement without liability upon 14-day notice to landlord and documentation of violence through police report or protection order.
Eviction defense – criminal activity	Washington	S.B. 5905, 59th Leg., Reg. Sess. (Wash. 2005)	Provides exception to criminal activity eviction if tenant is victim of any criminal acts committed by a co-tenant, which otherwise would subject the tenant to immediate eviction.
	New Hampshire	H.B. 1565, 159th Sess. Gen. Ct., Reg. Sess. (N.H. 2006)	Establishes a defense to a health or safety-related eviction if the tenant has filed for or obtained a domestic violence protection order and the violence is the basis of the eviction, or if the violence that is the basis of the eviction was a violation of the protection order. The court explicitly has the discretion to evict the tenant accused of the violation, while allowing the tenancy of the remainder of the residents to continue.
Calling police	Iowa	H.F. 2349, 81st Gen. Ass., Reg. Sess. (Iowa 2006)	Prohibits landlord from raising rent, decreasing services, or bringing or threatening to bring action for possession when tenant has called police or emergency services in response to domestic violence. Prohibits landlord from retaliating against tenant by terminating rental agreement, raising rent, or decreasing services after victim has received police or emergency assistance.

Lock changes	California	S.B. 1745, 2005-06 Reg. Sess. (Cal. 2006)	A tenant or household member who has obtained a domestic violence protective order against another tenant may request that household locks be replaced or reconfigured. If provided with a copy of the order, the landlord must comply with the request.
	Illinois	H.B. 4715, 94th Gen. Ass. (Ill. 2006)	Permits a victim of domestic or sexual violence to request a lock change upon providing the landlord with documentation of the violence. Documentation requirements vary depending on whether or not the perpetrator is a leaseholder. The provision would be enforceable through an explicit private right of action against the landlord.
	Indiana	S.B. 254, 94th Gen. Assem., 2d Reg. Sess. (Ind. 2006)	Permits a victim of domestic or family violence, a sex offense, or stalking to request a lock change from the landlord. Notice and documentation requirements vary depending on whether or not the perpetrator is also a tenant of the dwelling unit.
Housing preferences	California	S.B. 1745, 2005-06 Reg. Sess. (Cal. 2006)	Clarifies that any housing preference for victims of domestic violence, sexual assault, or stalking is permissible.
Battered tenant's rights on appeal	Pennsylvania	H.B. 1396, 189th Gen. Assem., Reg. Sess. (Pa. 2005)	Gives victims of domestic violence 30 days, instead of usual 10 days, to appeal a judgment of state district court in matters regarding possession of real property or recovery of rent due. Appeal can operate as a "supersedeas" if the battered tenant pays any rent due in cash into an account with the prothonotary within 10 days after the date each payment is due.
Possession of property and exclusion of abuser	Utah	H.B. 194, 56th Leg., Reg. Sess. (Utah 2005)	Allows victim of domestic violence to ask landlord to exclude abuser from unit or common areas of the property, depending on whether the abuser is another tenant in the unit, if the victim provides documentation of the violence through a police report or domestic violence protective order. A landlord explicitly may evict a perpetrator of domestic violence from the unit while allowing the victim to remain in the residence under the rental agreement.
Confidentiality of housing records	Iowa	S.B. 2321, 81st Gen. Ass., Reg. Sess. (Iowa 2006)	Adds exception to state's open records law for address of any recipient of housing assistance who has applied for or who has been granted a restraining order.

Pending State Legislation: By State

	Type of bill	Bill number
California	Housing anti-discrimination Early lease termination Lock changes Housing preferences	S.B. 1745, 2005-06 Reg. Sess. (Cal. 2006) (bill did not pass)
Florida	Early lease termination	H.B. 1517, 107th Reg. Sess. (Fla. 2005) (bill did not pass)
Hawaii	Housing anti-discrimination	H.B. 2021, 22nd Leg., Reg. Sess. (Haw. 2004) (bill did not pass)
Indiana	Housing anti-discrimination Early lease termination Lock changes	S.B. 254, 114th Gen. Assem., 2d. Reg. Sess. (Ind. 2006) (bill did not pass)
Iowa	Calling police	H.F. 2349, 81st Gen. Ass., Reg. Sess. (Iowa 2006)
Kansas	Housing anti-discrimination Early lease termination	H.B. 2864, 80th Leg., Reg. Sess. (Kan. 2004) (bill did not pass)
Massachusetts	Housing anti-discrimination Early lease termination	S.B. 2328, 184th Gen. Ct., Reg. Sess. (Mass. 2006)
Michigan	Early lease termination	S.B. 808, 93rd Leg., Reg. Sess. (Mich. 2005)
New Hampshire	Eviction defense – criminal activity	H.B. 1565, 159th Sess. Gen. Ct., Reg. Sess. (N.H. 2006)
New York	Housing anti-discrimination Early lease termination	S.B. 4112, A.B. 6282, 228th Ann. Leg. Sess. (N.Y. 2006) A.B. 10030, 228th Ann. Leg. Sess. (N.Y. 2006)
New York City	Housing anti-discrimination Early lease termination	Intro 149-2006 (N.Y. City Council)
Oregon	Housing anti-discrimination	H.B. 3290, 72nd Leg. Ass. (Or. 2003) (bill did not pass)
Pennsylvania	Battered tenant’s rights on appeal	H.B. 1396, 189th Gen. Assem., Reg. Sess. (Pa. 2005)
Utah	Early lease termination Possession of property and exclusion of abuser	H.B. 194, 56th Leg., Reg. Sess. (Utah 2005) (bill did not pass)
Washington	Eviction defense – criminal activity	S.B. 5905, 59th Leg., Reg. Sess. (Wash. 2005)

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