



*There's **No Place Like Home:***
State Laws that Protect
Housing Rights for Survivors of
Domestic and Sexual Violence

A Report by the

**NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY**

ABOUT THE NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

The National Law Center on Homelessness & Poverty is committed to solutions that address the causes of homelessness, not just the symptoms, and works to place and address homelessness in the larger context of poverty.

To this end, we employ three main strategies: impact litigation, policy advocacy, and public education. We are a persistent voice on behalf of homeless Americans, speaking effectively to federal, state, and local policy makers. We also produce investigative reports and provide legal and policy support to local organizations.

You are invited to join the network of attorneys, advocates, students, activists, and committed individuals who support the Law Center. Our network provides a forum for individuals, non-profits, and corporations to participate and learn more about using the law to advocate for solutions to homelessness. For more information about our organization and access to publications such as this report, please visit our website at www.nlchp.org.

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INTRODUCTION

Domestic and sexual violence are leading causes of homelessness nationally. In some areas of the country 1 in 4 homeless adults reported that domestic violence was a cause of their homelessness, and between 50% and 100% of homeless women have experienced domestic or sexual violence at some point in their lives. Some victims and their families lose their homes when they flee abuse. Other survivors become homeless after being wrongfully or discriminatorily evicted or denied housing as a result of the violence against them. Others lose their jobs because of their abuser's interference with their ability to work. In 2005, in response to Congressional findings that families are discriminated against, denied access to, and evicted from housing because of their status as survivors of domestic violence, Congress reauthorized the Violence Against Women Act (VAWA) and included new housing protections for these survivors. While VAWA provides federal housing protections for survivors of domestic violence, its protections are limited in scope and applicability. For instance, VAWA's housing protections only apply to residents of federal public or assisted housing, which excludes residents in private housing and other federal housing programs. VAWA also does not extend protections to survivors of non-intimate partner sexual assault. Currently, Congress has failed to reauthorize VAWA—a reauthorization that would ensure that more survivors of domestic violence, including battered immigrant survivors and Native American survivors, would have access to the housing protections found within VAWA. Because VAWA is stalled in Congress, these women will not benefit from such protections. To fill the gap in the housing protections available in federal law, many states have enacted legislation that goes beyond the limited protections offered in VAWA. Given the recent vulnerability of VAWA, state action on these issues is more important than ever.

In this 50 state review, we summarize the canon of state laws designed to counteract some of the common housing problems faced by victims of domestic violence. The review, indexed by state and type of provision, includes legislation covering sixteen types of housing protections including: prohibitions against housing discrimination against victims of abuse; provisions allowing a battered tenant to terminate a lease early to flee violence; and provisions that protect the confidentiality of domestic violence victims' housing records; among others. The review also includes a summary of pending legislation proposed during the 2011-2012 legislative session, as well as a summary of relevant unsuccessful proposed state legislation. In addition to examining the laws in each state, the guide highlights particularly noteworthy statutes in each area of concern. This information will be useful for advocates and policymakers as they consider ways to provide greater housing stability for survivors in their states so that they must not choose between safety from violence and a roof over their heads and a home for their children.

The information contained in this review is current as of October 2012.

The information provided in this publication is not legal advice and should not be used as a substitute for seeking professional legal advice. It does not create an attorney-client relationship between the reader and the Law Center.

SUMMARY OF FINDINGS

While the majority of states have enacted some type of housing protection for survivors of domestic and sexual violence, there are noticeable trends that highlight the most and least prevalent types of housing protections being enacted. For instance, the overwhelming majority of states (80%) have enacted laws that allow courts to exclude the perpetrator of domestic or sexual violence from a shared residence regardless of who is the named party on the lease. Similarly, a large majority (76%) of states have laws that protect the confidentiality of a survivor's housing records, many through the use of a state-wide confidentiality program. Other increasingly common protections include provisions that provide relocation assistance or the right to emergency shelter for survivors of domestic violence (44%), and permit early lease terminations for battered tenants (42%).

Although these developments are encouraging, few states have enacted other similarly critical protections for survivors. Such provisions include the right to take leave from work to seek housing (4%), the creation of a civil remedy against landlords for violating a survivor's housing rights (8%), and the ability of a battered tenant to bifurcate a lease in order to early-terminate or exclude the perpetrator from the lease (10%). These trends indicate that law and public policy is moving in the direction in favor of greater protections for survivors, but also that large gaps in housing protections remain and must be addressed so that flight from domestic violence no longer results in homelessness for so many women and children.

KEY RECOMMENDATIONS

Our research and analysis of state housing laws has identified some measures that are particularly promising protections for survivors of domestic and sexual violence. We offer the following recommendations to guide advocates in proposing, enacting, and strengthening effective protections for survivors in their states.

- Proscribe specific activities that constitute discrimination against survivors in the housing context such as denying a survivor from renewing their lease, increasing rent, and retaliating against the tenant based on her status as a survivor of domestic violence.
- Prohibit lease agreements from including provisions that allow the tenant to waive her right to call for emergency assistance.
- Provide to tenants various methods of certifying that they are survivors of domestic or sexual violence for purposes of early-lease termination such as through attestation from a third party (e.g., healthcare service provider, domestic violence service provider, clergy member, attorney) who has knowledge of the survivor's current experience with domestic violence.
- Require landlords the authority, at the request of the survivor, to terminate the lease of the perpetrator of domestic or sexual violence while allowing the survivor (and other non-perpetrator tenants) to remain on the lease.
- Permit a landlord to recover for unpaid rent and other damages against a perpetrator for damages arising out of domestic or sexual violence.
- Create a private cause of action based on the applicable state law against landlords who violates the particular housing protections afforded to survivors of domestic or sexual violence, and permit the survivor to recover damages against the landlord for such violations.
- Grant survivors the authority to install new locks on their residence if the landlord fails to do so within 24 hours after the tenant's request.
- Create an address confidentiality program where the State Attorney General or other Administrator will provide the survivor with a designated address to protect the privacy of the survivor's actual address, and provide exemptions from supplying personal identifying information for public records requirements.
- Mandate that public housing authorities compile and report on terminations of domestic or sexual violence survivors.
- Require employers to provide employees with the ability to take leave from work, due to domestic or sexual violence, in order to relocate or improve the security of their residence.

An overview of findings and noteworthy statutes organized by type of housing protection follows.

OVERVIEW OF FINDINGS

1. Housing anti-discrimination

Several states (13 or 26%) have enacted housing anti-discrimination statutes. These statutes prohibit landlords from discriminating against survivors of domestic violence, sexual assault or stalking. Often these statutes prohibit specific activities that are considered discriminatory including terminating, failing to renew or refusing to renew residential leases or retaliation against a tenant because of the tenant or applicant's status as a survivor.

Noteworthy statutes

Rhode Island's statute prohibits discrimination by not only a landlord but also a mortgage lender. Additionally, Rhode Island includes in its protected class not only the direct survivor, but also a member of the tenant's household and includes those persons who were threatened with domestic violence. R.I. Gen. Laws §§ 34-7-1-4 (2012).

The District of Columbia has enacted legislation that protects survivors of an "intra-family offense" from housing discrimination. This statute also includes in its prohibited discriminatory activities the restriction of use in facilities and refusal to repair or improve the property. D.C. Code §§ 2-1401.01, 1401.02, 1402.01, 1402.21, 1402.24 (2012).

2. Calling police

Several states (9 or 18%) have enacted statutes that prohibit landlords from restricting or penalizing the exercise of a tenant's right to call law enforcement for emergency assistance. The protections afforded to survivors under these statutes range from prohibiting tenants from waiving their right to request emergency assistance to prohibiting a landlord from terminating or failing to renew a lease or increasing rent because of the tenant's summoning of emergency assistance.

Noteworthy statutes

Oregon's statute not only prohibits a landlord from terminating, failing to renew or enter into a lease agreement because of the tenant's summoning of

emergency assistance, but also prohibits the landlord from increasing the tenant's rent on this basis. Further, Oregon provides the greater of two months' rent or twice actual damages to the tenant if the landlord should violate this provision. Or. Rev. Stat. § 90.449 (2012).

Texas has enacted a statute that includes language that makes void any provision in a lease limiting the tenant's right to call police or emergency assistance. The Texas statute also permits the tenant to recover court costs, injunctive relief and attorney's fees, in addition to one month's rent, for landlord's who violate this statute. Tex. Prop. Code Ann. § 92.015 (2012).

3. Early lease termination by battered tenant

A sizable amount of states (21 or 42%) have enacted statutes that permit tenants who are survivors of domestic abuse, sexual assault or stalking to terminate their residential lease. Many of these statutes require the tenant provide written notice of their intent to terminate to the landlord and include evidence of domestic or sexual violence.

Noteworthy statute

Illinois' statute notably permits a tenant to terminate a lease early by providing written notice to the landlord within three days of vacating the residence. Further, the statute provides that the tenant may be released from additional obligations under the lease. 765 Ill. Comp. Stat. 750/15 (2012).

4. Eviction defense- general

Several states (9 or 18%) have enacted statutes that provide survivors of domestic or sexual violence with an affirmative defense to an eviction action initiated by the landlord where the basis of the eviction is an incident(s) of domestic violence. Nearly all of these statutes require the domestic or sexual violence be documented.

Noteworthy statutes

The District of Columbia's statute provides an

absolute defense to an eviction based on an intra-family offense where the tenant has a court-issued, temporary or civil protection order. D.C. Code § 42-3505.01 (2012).

Washington's statute allows a tenant who has been discriminated against due to the tenant's status as a survivor of domestic or sexual violence to use the fact of discrimination as an affirmative defense in an unlawful detainer action by the landlord. Wash. Rev. Code Ann. § 59.18.580 (2012).

5. Eviction defense- criminal activity

Several states (7 or 14%) have enacted statutes that provide survivors of domestic or sexual violence with an affirmative defense to an eviction action initiated by the landlord where the basis of the eviction is unlawful criminal behavior directly relating to domestic or sexual violence committed against them.

Noteworthy statute

Wisconsin's statute prohibits a tenant's status as a survivor of domestic or sexual violence from constituting a direct threat to other tenants or employees. Wis. Stat. Ann. § 106.50(5m)(d) (2012).

6. Civil remedy of tenants for violations

Few states (4 or 8%) have enacted statutes that provide a civil right of action or the ability to recover damages against a landlord for violating the state's housing protections for survivors of domestic violence or sexual violence. Nearly all of those that do provide recovery for violations of the state's housing anti-discrimination law or exercise of right to summon emergency assistance.

Noteworthy statute

Texas' statute allows tenants whose right to call for police or emergency assistance was violated to recover one month's rent, actual damages incurred, court costs, injunctive relief, and reasonable attorney's fees. Tex. Prop. Code Ann. § 92.015(c) (2012).

7. Lease bifurcation

Few states (5 or 10%) have enacted statutes that permit a landlord to sever tenancy in the case

of early-termination by the survivor of domestic violence or exclude the perpetrator from the residence. In many of the statutes providing this protection, a court order is required.

Noteworthy statute

Indiana's statute, in addition to providing for the tenant's early termination of lease or the perpetrator's exclusion from the residence under court order, permits the rights and obligations of the other adult tenants to remain unaffected. Additionally, where the perpetrator's exclusion from the residence is required under court order, the perpetrator remains liable under lease for the rent and cost of damages to the residence as a result of the domestic or sexual violence. Ind. Code Ann. §§ 32-31-9-12, 13, 14 (2012).

8. Liability of perpetrator

Several states (11 or 22%) have enacted statutes that permit a landlord to seek damages against the perpetrator of domestic or sexual violence for any unpaid rent or other expenses arising out of the domestic violence. Several of these statutes mandate broad liability upon the issuance of a court order that include the perpetrator's payment of the survivor's moving expenses, mortgage payments, or the payment for the connection of utility services.

Noteworthy statute

Arkansas' statute permits a landlord to seek damages against the perpetrator of violence, and makes the landlord immune from civil liability for in good faith changing the locks of the residence, refusing the perpetrator access to the residence, or terminating the lease of the perpetrator. Ark. Code Ann. § 18-16-112 (2012).

9. Lock changes

A sizable number of states (15 or 30%) have enacted statutes that either require the landlord or permit the survivor of domestic violence to install new locks to the tenant's residence. The majority of these statutes require the tenant to pay for associated costs and provide the landlord with notice. Generally, upon the request of the tenant, the landlord has between 24-48 hours to comply with the change of locks request.

Noteworthy statutes

California's statute requires the landlord to change locks within 24 hours of receiving a police report and allows the tenant to do so if the landlord has not complied within 24 hours. Cal. Civ. Code § 1941.5 (2012). Arkansas' statute also permits a landlord to seek damages against the perpetrator of violence, and makes the landlord immune from civil liability for in good faith changing the locks of the residence, refusing the perpetrator access to the residence, or terminating the lease of the perpetrator. Ark. Code Ann. § 18-16-112.

Indiana's statute allows the tenant to recover actual expenses from changing the residence's locks if the landlord fails to do so within the time allotted. Ind. Code Ann. §§ 32-31-9-9, 10, 11 (2012).

10. Relocation assistance and Right to emergency shelter

A sizable number of states (22 or 44%) have enacted statutes that provide relocation and other housing assistance to families who are homeless due to domestic violence. The assistance provided to survivors and their children range from eligibility for emergency housing in shelters to the payment of a one-time financial award to a survivor for relocation assistance.

Noteworthy statutes

Florida's statute provides a one-time award in the amount of up to \$1500 on a one time claim for relocation assistance for a domestic violence survivor with a lifetime maximum of \$3000. Fla. Stat. Ann. § 960.198 (2012).

New Hampshire provides that the state must loan first month's rent and security deposit to a survivor that is residing in a shelter, hotel, motel, home of another, or otherwise without shelter. N.H. Rev. Stat. Ann. § 126-A: 63 (2012).

11. Possession of property and Exclusion of abuser

A large majority of states (40 or 80%) have enacted legislation that allows courts to exclude the perpetrator of domestic or sexual violence from the residence of the survivor regardless of ownership.

In these statutes, the mechanism for exclusion is a court or protection order, consent agreement, temporary restraining order, or temporary injunction. Additionally, where the perpetrator is excluded from entering or visiting the residence, many statutes simultaneously award the survivor temporary use and possession of the property.

Noteworthy statutes

California's statutory provisions allows a court to exclude the perpetrator from the residence in order to protect the survivor of domestic violence regardless of which party is a party to the lease. Cal. Fam. Code § 6321 (2012).

Indiana's code provides for the perpetrator's continued liability under the lease for rent and damages to the residence even when the perpetrator is excluded from the residence by court order. Ind. Code Ann. § 32-31-9-14 (2012).

Wisconsin's code prohibits the perpetrator of violence from entering the residence of the alleged victim for 72 hours after the perpetrator's arrest. Wis. Stat. Ann. § 968.075(5)(a) (2012).

12. Rights of battered tenants on appeal

In only one state, Pennsylvania, a survivor-tenant's appeal of the trial court's judgment arising out of a residential lease involving domestic violence will suspend the execution of the judgment. The survivor-tenant must continue to pay cash into an escrow account for any rent that comes due during this time. 68 Pa. Stat. Ann. 250.513(b)(2012).

13. Confidentiality of housing records

A significant majority of states (38 or 76%) have enacted legislation that protects the confidentiality of a survivor of domestic violence. Information protected under these statutes includes the survivor's address, phone number, social security number, and additional identifying information. Many of these statutes make it a crime for landlords to disclose confidential information subject to court order or other law. A handful of states have created address confidentiality programs to facilitate compliance with their confidentiality statutes.

Noteworthy statutes

Colorado provides for an address confidentiality program to protect the confidentiality of the relocated survivor's actual address. This program requires that the Secretary of State provide a substitute address that government agencies must use. This substitute address is also used for the collection and dissemination of the survivor's mail. Colo. Rev. Stat. Ann. § 24-30-2104 (2012).

Florida's statute allows survivors of domestic violence to request that identifying and location information be held exempt from the state public records requirements. Fla. Stat. Ann. §§ 741.3, 784.046 (2012). Illinois' Safe Homes Act prohibits a landlord from disclosing to a prospective landlord any information provided by the survivor in exercising the tenant's housing rights. 765 Ill. Comp. Stat. 750/27 (2012).

14. Eviction reporting by public housing authority

Few states (4 or 8%) have enacted legislation that requires the local housing authority to report on the frequency of domestic violence on their property and the number of terminations made based on incidents of domestic violence. Two states require their housing authority to create and maintain housing databases with this information.

Noteworthy statute

Puerto Rico's statute requires the housing authority to prepare a report that includes "the existence of a victim of domestic violence in the family nucleus" and the consequences of terminating the housing agreement on the "family nucleus" prior to beginning eviction proceedings against a survivor of domestic violence. P.R. Laws Ann. tit. 17, § 1015a(e) (2012).

15. Housing preferences

Few states (4 or 8%) have enacted legislation that permits landlords to establish and enforce certain housing preferences for survivors of domestic or sexual violence. These statutory provisions range in scope from preventing sex offenders from renting a unit in the same building as a survivor of domestic or sexual violence to allowing the state department of health to approve financing for any residential facility that meets the housing needs of survivors of

domestic violence.

Noteworthy statute

Oklahoma's code requires that when an eligible family on a Section 8 wait list splits into two eligible family units and cannot otherwise agree who should receive the housing assistance vouchers, the housing authority must consider the role domestic violence played in the split. Okla. Admin. Code § § 330:50-3-7, 330:50-15-15 (2012).

16. Employee leave for victims to seek housing

Few states (2 or 4%) have enacted legislation that requires employers to permit an employee who is a survivor of domestic or sexual violence to take leave from work in order to seek new housing or to relocate in order to increase the safety of the employee's family.

Noteworthy statute

Florida's statute permits a domestic or sexual violence survivor to take leave from work in order to seek new housing to escape the perpetrator or make their home secure from the perpetrator, to pursue a protection order, or to seek legal assistance. Fla. Stat. Ann. § 741.313 (2012).

17. Other

Several states (7 or 14%) have enacted legislation that protects the rights of domestic or sexual violence survivors, but does not squarely fit within any of the previous provision types. These statutes range from the provision of housing assistance and services for immigrant survivors of domestic violence to prohibiting insurers from discriminating against survivors of domestic violence in the provision of property or casualty insurance.

Noteworthy statute

Nevada's statute permits a survivor of domestic violence to waive certain welfare benefit requirements when compliance with requirements may endanger their personal safety. Under this provision, a survivor's waiver of the requirement(s) does not prevent her from receiving those welfare benefits. Ned. Rev. Stat. § 422A.600 (2012).

CURRENT STATE LAWS: BY STATE

STATE	TYPE OF LAW	CITATION
Alabama	Possession of property and exclusion of abuser	ALA. CODE § 30-5-7
Alaska	Possession of property and exclusion of abuser	ALASKA STAT. § 18.66.100
American Samoa	Liability of perpetrator Possession of property and exclusion of abuser	AM. SAMOA CODE ANN. § 47.0204(c)(4)(a), (b) AM. SAMOA CODE ANN. § 47.0202(c)(2)
Arizona	Calling police Early lease termination by battered tenant Lock changes	ARIZ. REV. STAT. ANN. § 33-1315 ARIZ. REV. STAT. ANN. § 33-1318 ARIZ. REV. STAT. ANN. § 33-1318
Arkansas	Housing anti-discrimination Calling police Lease bifurcation Liability of perpetrator Lock changes Relocation assistance and right to emergency shelter Possession of property and exclusion of abuser	ARK. CODE ANN. § 18-16-112 ARK. CODE ANN. § 18-16-112(f) ARK. CODE ANN. § 18-16-112(c)(3)(A)-(B) ARK. CODE ANN. § 18-16-112 ARK. CODE ANN. § 18-16-112 ARK. CODE ANN. §§ 9-4-105, 9-4-106 ARK. CODE ANN. § 18-16-112
California	Housing anti-discrimination Early lease termination by battered tenant Liability of perpetrator Lock changes Relocation assistance and right to emergency shelter Possession of property and exclusion of abuser Eviction reporting by public housing authority Confidentiality of housing records	CAL. CODE CIV. PROC. § 1161.3 CAL. CIV. CODE § 1946.7 CAL. CODE CIV. PROC. § 1161(4) CAL. CIV. CODE § 1941.5(a), (b) CAL. WELF. & INST. § 11450(E)(iii) CAL. FAM. CODE § 6321 CAL. HEALTH & SAFETY CODE § 34328.1 CAL. GOV'T CODE § 6206
Colorado	Housing anti-discrimination Calling police Early lease termination by battered tenant Eviction defense – general Confidentiality of housing records	COLO. REV. STAT. ANN. § 38-12-402 COLO. REV. STAT. ANN. § 38-12-402 COLO. REV. STAT. ANN. § 38-12-402 COLO. REV. STAT. ANN. § 13-40-104(4) COLO. REV. STAT. ANN. § 24-30-2104
Connecticut	Early lease termination by battered tenant Relocation assistance and right to emergency shelter Confidentiality of housing records Other	CONN. GEN. STAT. ANN. § 47a-11e CONN. GEN. STAT. § 17b-808(a)(2) CONN. GEN. STAT. § 54-240 et seq. CONN. GEN. STAT. § 46b-15
Delaware	Early lease termination by battered tenant Eviction defense – general Relocation assistance and right to emergency shelter	DEL. CODE ANN., TIT. 25, § 5314(b)(6) DEL. CODE ANN., TIT. 25, § 5316 DEL. CODE ANN., TIT. 11, §§ 9001-9025

STATE	TYPE OF LAW	CITATION
District of Columbia	Housing anti-discrimination Calling police Early lease termination by battered tenant Eviction defense – general Lock changes Other	D.C. CODE §§ 2-1401.01, 1401.02, 1402.01, 1402.21, 1402.24 D.C. CODE § 2-1402.21(f)(3)(C) D.C. CODE §§ 42-3505.07, 2-1402.21(f)(3)(B) D.C. CODE § 42-3505.01 D.C. CODE § 42-3505.08 D.C. CODE 2-1402.21(f)(3)(A)
Florida	Relocation assistance and right to emergency shelter Possession of property and exclusion of abuser Confidentiality of housing records Employee leave for victims to seek housing Other	FLA. STAT. ANN. § 960.198 FLA. STAT. ANN. § 741.30 (2010); Wolf v. Wolf, 979 So.2d 1123 (Fla. Dist. Ct. App. 2008) FLA. STAT. ANN. §§ 741.403, 741.465; 119.071(2)(j), 741.3, 784.046, 784.404 FLA. STAT. ANN. § 741.313 FLA. STAT. ANN. §§ 414.157, 409.9531
Georgia	Relocation assistance and right to emergency shelter	GA. CODE ANN. § 49-4-191
Guam	Possession of property and exclusion of abuser Confidentiality of housing records	9 GUAM CODE ANN. §§ 30.21, 30.32; 40105 9 GUAM CODE ANN. § 30.60
Hawaii	Possession of property and exclusion of abuser	HAW. REV. STAT. § 586-4
Idaho	Possession of property and exclusion of abuser Confidentiality of housing records	IDAHO CODE ANN. § 39-6308 (1)(a),(b), (f) IDAHO CODE ANN. §§ 19-5701 – 5708; 9-340C (25), (27)
Illinois	Housing anti-discrimination Early lease termination by battered tenant Eviction defense – general Eviction defense – criminal activity Lock changes Confidentiality of housing records	765 ILL. COMP. STAT. 750/5, 750/10, 750/35 765 ILL. COMP. STAT. 750/15 735 ILL. COMP. STAT. 5/9-106.2 735 ILL. COMP. STAT. 5/9-106.2 765 ILL. COMP. STAT. 750/20, 750/25 765 ILL. COMP. STAT. 750/27
Indiana	Housing anti-discrimination Early lease termination by battered tenant Lease bifurcation Liability of perpetrator Lock changes Possession of property and exclusion of abuser Confidentiality of housing records	IND. CODE ANN. § 32-31-9-1, 3, 7, 8 IND. CODE ANN. §§ 32-31-9-12, 32-31-9-13 IND. CODE ANN. § 32-31-9-12, 13, 14 IND. CODE ANN. § 32-31-9-14 IND. CODE ANN. §§ 32-31-9-9, 32-31-9-10, 32-31-9-11 IND. CODE ANN. § 32-31-9-14 IND. CODE ANN. § 5-26.5-2-2
Iowa	Eviction defense – criminal activity Relocation assistance and right to emergency shelter Possession of property and exclusion of abuser Confidentiality of housing records	IOWA CODE §§ 562A.27A, 562B.25A(3) IOWA CODE §§ 236.16, 16.40 IOWA CODE §§ 236.5, 236.7 IOWA CODE § 236.10
Kansas	Possession of property and exclusion of abuser Confidentiality of housing records	KAN. STAT. ANN. § 60-3107(a)(2), (a)(3), (a)(5), (d) KAN. STAT. ANN. § 75-453

STATE	TYPE OF LAW	CITATION
Kentucky	Possession of property and exclusion of abuser Confidentiality of housing records	KY. REV. STAT. ANN. §§ 403.740(1)(e), (g), 403.761, 403.750(1)(e) KY. REV. STAT. ANN. §§ 403.770(1), 209A.070
Louisiana	Eviction defense – criminal activity Relocation assistance and right to emergency shelter Possession of property and exclusion of abuser	LA. REV. STAT. ANN. § 40:506(D) LA. REV. STAT. ANN. §§ 46:2123, 46:2124 LA. REV. STAT. ANN. § 46:2135
Maine	Relocation assistance and right to emergency shelter Possession of property and exclusion of abuser Confidentiality of housing records	Me. Rev. Stat. Ann. tit 22, § 8501 Me. Rev. Stat. Ann. tit. 19, § 4007 (1)(E) Me. Rev. Stat. Ann. tit. 5, § 90-B; Me. Rev. Stat. Ann. tit. 30-A, § 4706 (1)(E)
Maryland	Early lease termination by battered tenant Eviction defense – general Lock changes Possession of property and exclusion of abuser Confidentiality of housing records	MD. CODE ANN. REAL PROP. §§ 8-5A-02 – 04 MD. CODE ANN. REAL PROP. § 8-5A-05 MD. CODE ANN. REAL PROP. § 8-5A-06 MD. CODE ANN. REAL PROP. § 8-5A-05; MD. CODE ANN. FAM. LAW §§ 4-504.1, 4-505 MD. CODE ANN. FAM. LAW § 4-520 – 4-522
Massachusetts	Lock changes Possession of property and exclusion of abuser Confidentiality of housing records	MASS. GEN. LAWS ANN. ch. 209A, § 3 MASS. GEN. LAWS ANN. ch. 209A, § 3 950 MASS. CODE REGS. 130.01 et seq.
Minnesota	Calling police Early lease termination by battered tenant Civil remedy of tenants for violations Liability of perpetrator Relocation assistance and right to emergency shelter Housing preferences	MINN. STAT. § 504B.205; Sandy Hill Apartments v. Kudawoo, 2006 WL 2974305 (D.Minn. 2006); Cimarron Village v. Washington, et al., 659 N.W.2d 811 (Minn.App. 2003) MINN. STAT. § 504B.206 MINN. STAT. § 504B.205 MINN. STAT. § 244.052 Subd. 4a(b) MINN. STAT. § 611A.32 WL 1640141 (D.Minn. 2001) MINN. STAT. § 244.052 Subd. 4a(b)
Mississippi	Liability of perpetrator Relocation assistance and right to emergency shelter Possession of property and exclusion of abuser Confidentiality of housing records	MISS. CODE ANN. § 93-21-15 MISS. CODE ANN. §§ 93-21-101 et seq., 99- 41-5 MISS. CODE ANN. § 93-21-15 MISS. CODE ANN. §§ 93-21-109, 99-47-1, 93-21-9
Missouri	Possession of property and exclusion of abuser Confidentiality of housing records	MO. STAT. § 455.050 MO. STAT. § 589.663
Montana	Liability of perpetrator Possession of property and exclusion of abuser Confidentiality of housing records	MONT. CODE ANN. § 45-5-206(5) MONT. CODE ANN. § 40-15-201 MONT. CODE ANN. §§ 40-15-115 – 40-15- 121
Nebraska	Possession of property and exclusion of abuser Confidentiality of housing records	NEB. REV. ST. § 42-924 NEB. REV. STAT. §§ 42-1202 – 42-1210

STATE	TYPE OF LAW	CITATION
Nevada	Liability of perpetrator Possession of property and exclusion of abuser Confidentiality of housing records Eviction reporting by public housing authority Other	NEV. REV. STAT. § 33.030 NEV. REV. STAT. § 33.030 NEV. REV. STAT. §§ 217.462 – 217.468 NEV. REV. STAT. § 319.143 NAC § 696A.220; NEV. REV. STAT. § 422A.600
New Hampshire	Housing anti-discrimination Lock changes Relocation assistance and right to emergency shelter Possession of property and exclusion of abuser Confidentiality of housing records	N.H. REV. STAT. ANN. § 540:2, VII(a) N.H. REV. STAT. ANN. § 540:2, VII(b) N.H. REV. STAT. ANN. § 126-A:63 N.H. REV. STAT. ANN. § 540:2, VII(d) N.H. REV. STAT. ANN. §§ 7:41-7:43
New Jersey	Early lease termination by battered tenant Eviction defense – general Relocation assistance and right to emergency shelter Possession of property and exclusion of abuser Confidentiality of housing records Other	N.J. STAT. ANN. § 46:8-9.5 – 9.8 N.J. STAT. ANN. §§ 2A:18-53, 18-61.1 N.J. STAT. ANN. §§ 30:14-3, 14-7, 14-8 N.J. STAT. ANN. § 2C:25-29(b); <i>Finamore v. Aronson</i> , 889 A. 2d 1114, 1117 (N.J. Super. Ct. App. Div. 2006); <i>Cesare v. Cesare</i> , 713 A.2d 390, 393, 395 (N.J. Sup. Ct. 1998) N.J. STAT. ANN. §§ 2C:25-33, 30:14-13, 46:8-9.11, 47:4-4; <i>Sacharow v. Sacharow</i> , 826 A.2d 710, 712, 716 (N.J. 2003) N.J. STAT. ANN. § 30:14-4, 30:14-15
New Mexico	Eviction defense – criminal activity Possession of property and exclusion of abuser Confidentiality of housing records	N.M. STAT. ANN. § 47-8-33 (I), (J) N.M. STAT. ANN. § 40-13-5 (A)(1) N.M. STAT. ANN. § 40-13-11
New York	Early lease termination by battered tenant Lease bifurcation Relocation assistance and right to emergency shelter Confidentiality of housing records Housing preferences	N.Y. REAL PROP. LAW § 227-c N.Y. REAL PROP. LAW § 227-c(2)(c)(ii)(b) <i>McCain v. Bloomberg</i> , 806 N.Y.S.2d 446 (N.Y. Sup. Ct. 2005); <i>Eldredge v. Koch</i> , 469 N.Y.S.2d 744 (NYAD 1983); <i>Callahan v. Carey</i> , 909 N.E.2d 1229 (2009) N.Y. EXEC. LAW § 108; N.Y. ELEC. § 5-508
North Carolina	Housing anti-discrimination Early lease termination by battered tenant Lock changes Confidentiality of housing records	N.C. GEN. STAT. § 42-42.2 N.C. GEN. STAT. § 42-45.1 N.C. GEN. STAT. § 42-42.3 N.C. GEN. STAT. § 15C-4
North Dakota	Housing anti-discrimination Early lease termination by battered tenant Relocation assistance and right to emergency shelter Possession of property and exclusion of abuser Confidentiality of housing records	N.D. CENT. CODE § 47-16-17.1 N.D. CENT. CODE § 47-16-17.1 N.D. CENT. CODE § 14-07.1-16; N.D. ADMIN. CODE 33-28-01 N.D. CENT. CODE § 14-07.1-02 N.D. CENT. CODE § 14-07.1-18, 47-16-17.1

STATE	TYPE OF LAW	CITATION
Northern Mariana Islands	Possession of property and exclusion of abuser	1986 N. MAR. I. PUB. L. 5-20 (codified at 8 CMC 1230(a)(2), (3)); Olupomar v. Mahora, 2001 MP 17 (N. Mar. I. 2001); Norita v. Norita, 4 N. Mar. I 381 (N. Mar. I. 1996)
	Confidentiality of housing records	1997 N. MAR. I. PUB. L. 10-81 Sec. 13
Ohio	Possession of property and exclusion of abuser	OHIO REV. CODE ANN. § 3113.31(E)(1)(b), (c)
	Other	OHIO REV. CODE ANN. § 3113.31(B)
Oklahoma	Relocation assistance and right to emergency shelter	OKLA. ADMIN. CODE §§ 75:15-2-1, 75:15-2-3, 75:15-2-4, 75:15-7-5
	Confidentiality of housing records	OKLA. STAT. ANN. tit. 22, §60.14
	Housing preferences	OKLA. ADMIN. CODE §§ 330:50-3-7, 330:50-15-15
Oregon	Housing anti-discrimination	OR. REV. STAT. § 90.449
	Calling police	OR. REV. STAT. § 90.449(1)(c)
	Early lease termination by battered tenant	OR. REV. STAT. § 90.453, 90.456
	Eviction defense – criminal activity	OR. REV. STAT. § 90.449
	Civil remedy of tenants for violations	OR. REV. STAT. § 90.449
	Lease bifurcation	OR. REV. STAT. §§ 90.456-105.128
	Lock changes	OR. REV. STAT. § 90.459
	Confidentiality of housing records	OR. REV. STAT. § 90.453 OR. REV. STAT. § 192.822
Pennsylvania	Relocation assistance and right to emergency shelter	23 PA. STAT. ANN. § 6365(a)
	Rights of battered tenant on appeal	68 PA. STAT. ANN. § 250.513(b)
	Confidentiality of housing records	23 PA. STAT. ANN. §§ 6112, 6703, 6705
Puerto Rico	Confidentiality of housing records	8 P.R. LAWS ANN. tit. 8, § 652a
	Eviction reporting by public housing authority	17 P.R. LAWS ANN. tit. 17, § 1015a
Rhode Island	Housing anti-discrimination	R.I. GEN. LAWS §§ 34-37-1, -2, -3, -4
	Confidentiality of housing records	R.I. GEN. LAWS § 17-28-3
South Carolina	Possession of property and exclusion of abuser	S.C. CODE ANN. §20-4-60
South Dakota	Possession of property and exclusion of abuser	S.D. CODIFIED LAWS §§ 25-10-5, 25-10-6
Texas	Calling police	TEX. PROP. CODE ANN. § 92.015
	Early lease termination by battered tenant	TEX. PROP. CODE ANN. § 92.016
Civil remedy of tenants for violations	TEX. PROP. CODE ANN. § 92.015(c)	
Relocation assistance and right to emergency shelter	TEX. HUM. RES. CODE ANN. §§ 51.001-51.0021; 1 TEX. ADMIN. CODE §§ 379.601-.635; TEX. CODE CRIM. PROC. ANN. art. 56.82, 56.83; TEX. PROP. CODE ANN. § 92.010	
Possession of property and exclusion of abuser	TEX. FAM. CODE ANN. §§ 83.006, 85.021	
Confidentiality of housing records	TEX. GOV'T CODE ANN. § 552.138; TEX. CODE CRIM. PROC. ANN., art. 56.82, 56.83	

STATE	TYPE OF LAW	CITATION
U.S. Virgin Islands	Calling police Early lease termination by battered tenant Liability of perpetrator Relocation assistance and right to emergency shelter Possession of property and exclusion of abuser	V.I. CODE ANN. tit. 28 § 753(a)(1) V.I. CODE ANN. tit. 28 § 753 V.I. CODE ANN. tit. 6 § 92 V.I. CODE ANN. tit. 16 § 91a(c)(5) V.I. CODE ANN. tit. 16 §§ 97, 99; 48 V.I. 245; 2007 V.I. Lexis 7; V.I. CODE ANN. tit. 16 § 92
Utah	Early lease termination by battered tenant Lock changes Possession of property and exclusion of abuser	UTAH CODE ANN. § 57-22-5.1 UTAH CODE ANN. § 57-22-5.1 UTAH CODE ANN. § 57-22-5.1
Vermont	Housing anti-discrimination Confidentiality of housing records	Bouley v. Young-Sabourin, 394 F.Supp.2d 675, 678 (D.Vt. 2005) 15 VT. STAT. ANN. § 1152
Virginia	Eviction defense – general Liability of perpetrator Lock changes Possession of property and exclusion of abuser Confidentiality of housing records Other	VA. CODE ANN. § 55-248.31(D) VA. CODE ANN. § 16.1-279.1 VA. CODE ANN. §§ 55-225.5, 55-248.18:1 VA. CODE ANN. § 16.1-279.1 VA. CODE ANN. § 2.2-515.2 VA. CODE ANN. § 55-248.18(D)
Washington	Housing anti-discrimination Early lease termination by battered tenant Eviction defense – general Eviction defense – criminal activity Civil remedy of tenants for violations Lock changes Possession of property and exclusion of abuser Confidentiality of housing records Employee leave for victims to seek housing	WASH. REV. CODE ANN. § 59.18.580 WASH. REV. CODE ANN. §§ 59.18.352; 59.18.575 WASH. REV. CODE ANN. § 59.18.580 WASH. REV. CODE ANN. § 59.18.130 (8)(B)(ii) WASH. REV. CODE ANN. § 59.18.580(2) WASH. REV. CODE ANN. § 59.18.585 WASH. REV. CODE ANN. § 26.50.060 WASH. REV. CODE ANN. § 40.24.030; Indigo Real Estate Services v. Rousey, 151 Wash. App. 941 (2009) WASH. REV. CODE ANN. § 49.76.030
Wisconsin	Housing anti-discrimination Calling police Early lease termination by battered tenant Eviction defense – general Eviction defense – criminal activity Lease bifurcation Liability of perpetrator Lock changes Relocation assistance and right to emergency shelter Possession of property and exclusion of abuser Confidentiality of housing records Housing preferences	WIS. STAT. ANN. § 106.50(1) WIS. STAT. ANN. § 66.0627(7) WIS. STAT. ANN. § 704.16(1)-(3) WIS. STAT. ANN. § 106.50(5m)(dm) WIS. STAT. ANN. § 106.50(5m)(d) WIS. STAT. ANN. § 704.16 – .19 WIS. STAT. ANN. § 704.16(3) WIS. STAT. ANN. § 704.16(4) WIS. STAT. ANN. § 49.138(1m) WIS. STAT. ANN. § 968.075(5)(a) WIS. STAT. ANN. §§ 6.47(1)-(2), 6.79 (6), 995.67(2) WIS. STAT. ANN. § 46.28(1)-(2)
Wyoming	Possession of property and exclusion of abuser Confidentiality of housing records	WYO. STAT. ANN. §§ 35-21-102(a)(iv), 35-21-105(a), (d) WYO. STAT. ANN. § 35-21-105(e)

CURRENT STATE LAWS: BY TYPE

HOUSING ANTI-DISCRIMINATION

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Arkansas	ARK. CODE ANN. § 18-16-112	N/A	Prohibits landlord termination of, failure to renew, or refusal to enter into a residential lease with, or other retaliation in the leasing of a residence to, a domestic abuse victim on account of the domestic abuse. The abuse must be documented in a court order and must have occurred within the preceding 60 days, or within 60 days of the termination of the tenancy due to the domestic abuse.
California	Cal. Code Civ. Proc. § 1161.3	N/A	Prohibits landlord termination of a tenancy or failure to renew based upon acts constituting domestic violence, sexual assault or stalking, subject to exceptions where tenant allows the abuser back onto property or reasonably believes the abuser poses a threat to other tenants, guests, invitees, or licensees, or to a tenant's right to quiet possession.
District of Columbia	D.C. CODE §§ 2-1401.01, 1401.02, 1402.01, 1402.21, 1402.24	N/A	Prohibits discrimination on the basis of "status as a victim of an intra-family offense," guarantees equal opportunity with respect to housing and prohibits the following actions if they are based on status as a victim of an intra-family offense: terminating or refusing any housing transaction; including conditions or restrictions in the terms or conditions of a housing transaction; and refusing or restricting facilities, services, repairs or improvements. Certain exceptions exist for small owner-occupied rental buildings, and under certain circumstances, single family rental homes.
Illinois	765 ILL. COMP. STAT. 750/5, 750/10, 750/35	N/A	Enables victims of domestic or sexual violence and their families to flee existing dangerous housing in order to leave violent or abusive situations, achieve safety, and minimize the physical and emotional injuries from domestic or sexual violence, and to reduce the devastating economic consequences. Does not cover residents who live in public housing. All other kinds of subsidized housing, including Section 8 Housing Choice Vouchers, are covered.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Indiana	IND. CODE ANN. § 32-31-9-1, 3, 7, 8	N/A	Prohibits landlord termination of a lease, refusal to renew a lease, refusal to enter into a lease, or retaliation against a tenant because the tenant, a rental applicant, or a household member is a victim or alleged victim of domestic violence, a sex offense, or stalking, or because a victim terminated a lease early under the statute's early lease termination provision and has received a civil order for protection or a criminal no contact order, restraining the perpetrator from contact with the victim or alleged victim. Any waiver of these provisions is void.
New Hampshire	N.H. REV. STAT. ANN. § 540:2, VII(a)	N/A	Prevents a lessor from terminating a tenancy solely based on a tenant or a household member of a tenant having been a victim of domestic violence, sexual assault or stalking provided that the individual has obtained a valid protective order against the perpetrator.
North Carolina	N.C. GEN. STAT. § 42-42.2	N/A	Prohibits landlord termination or failure to renew a tenancy, refusal to enter into a rental agreement or retaliation in the renting of a dwelling based substantially on: (1) the tenant, applicant or a household member's status as a victim of domestic violence, sexual assault or stalking, or (2) the tenant or applicant's having terminated a rental agreement under §42-45.1. Evidence of domestic violence or sexual assault can be provided to a landlord in the form of law enforcement or court files, documentation from a program addressing sexual assault or domestic violence, or documentation from a medical, religious or other professional.
North Dakota	N.D. CENT. CODE § 47-16-17.1	N/A	Prohibits landlords from refusing to rent, or in any other way denying housing or retaliating, because the tenant exercised the right to terminate an agreement. Amendment adds provision: "In an action for a violation of this section, the court may award statutory damages of one thousand dollars. The court also may award actual damages, reasonable attorney's fees, costs, and disbursements."
Oregon	OR. REV. STAT. § 90.449	N/A	Prohibits landlords from terminating or failing to renew or enter into a rental agreement because a tenant is a victim of domestic violence, sexual assault or stalking or based on a police or emergency response or violation of the rental agreement due to domestic violence. Landlord may terminate lease of victim of domestic violence if landlord gives tenant written notice regarding the perpetrator's domestic violence-related conduct, the tenant permits the presence and the perpetrator is an actual and imminent threat to the safety of persons on the premises other than the victim or the perpetrator is an unauthorized guest.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Rhode Island	R.I. GEN. LAWS §§ 34-37-1, -2, -3, -4	N/A	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.
Vermont	N/A	Bouley v. Young-Sabourin, 394 F.Supp.2d 675, 678 (D.Vt. 2005)	Holds that if the plaintiff's allegation that she was evicted based on gender discrimination because she was a victim of domestic violence was proven to be true it could constitute unlawful discrimination under the federal Fair Housing Act based on sex.
Washington	WASH. REV. CODE ANN. § 59.18.580	N/A	Prohibits housing discrimination against victims of domestic violence, sexual assault, and stalking. Prohibits landlord from terminating a tenancy, failing to renew a tenancy, or refusing 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. Prohibits landlord from discriminating against a tenant or applicant because the tenant or applicant has terminated a rental agreement under the state's early lease termination provision.
Wisconsin	WIS. STAT. ANN. § 106.50(1)	N/A	Prohibits discrimination against tenants based on their status as a victim of domestic abuse, sexual assault, or stalking. Permits landlords to discriminate against rental applicants whose presence would endanger property or other tenants, but creates exception that no claim on individual's tenancy would constitute a direct threat to the safety of other persons or would result in substantial damage to property may be based on the fact that tenant has been or may be a victim of domestic abuse.

CALLING POLICE

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Arizona	ARIZ. REV. STAT. ANN. § 33-1315	N/A	Prohibits a rental agreement from containing provisions that waive a tenant's right to summon a peace officer or emergency assistance response to an emergency, or that allow a tenant to agree to pay monetary or other penalties for summoning such assistance in response to an emergency.
Arkansas	ARK. CODE ANN. § 18-16-112(f)	N/A	Prohibits a residential tenant from waiving his or her right to request law enforcement assistance or other emergency assistance.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Colorado	COLO. REV. STAT. ANN. § 38-12-402	N/A	Prohibits landlord from including in a residential rental agreement or lease agreement for housing any provision authorizing the landlord to terminate the agreement or to impose a penalty on a residential tenant for calls made by the residential tenant for peace officer assistance or other emergency assistance in response to a domestic violence or domestic abuse situation. A residential tenant may not waive the residential tenant's right to call for police or other emergency assistance.
District of Columbia	D.C. CODE § 2-1402.21(f)(3)(C)	N/A	Prohibits a landlord from barring or limiting a tenant or other person residing in the household from calling for police or emergency assistance or imposing any penalty for exercising this right. This right may not be waived.
Minnesota	MINN. STAT. § 504B.205	Sandy Hill Apartments v. Kudawoo, 2006 WL 2974305 (D.Minn. 2006) Cimarron Village v. Washington, et al., 659 N.W.2d 811 (Minn.App. 2003)	Prohibits landlords from barring or limiting a tenant's right to call for police or emergency assistance in response to domestic abuse or any other conduct, as well as from imposing any penalties related thereto. This right of tenant cannot be waived. Preempts any local ordinance or rule that requires eviction of a tenant after a specified number of calls for police or emergency assistance in response to domestic abuse or any other conduct or that would impose any penalty or fee on the landlord in relation thereto. Under a successful civil suit brought by the tenant for violating this statute, the landlord must pay \$250 or actual damages, whichever is greater, plus attorney's fees. Cases confirm that MINN. STAT. § 504B.205 only protects the tenant's right to call police and doesn't protect the tenant against penalties or eviction resulting from calls made to police by other residents regarding tenant's behavior.
Oregon	OR. REV. STAT. § 90.449	N/A	Prohibits a landlord from terminating or failing to renew or enter into a rental agreement or increasing rent based on a police or emergency response due to domestic violence in which the tenant or applicant is the victim. If this statute is violated then the tenant or applicant may recover either two months' rent or twice the actual damages sustained, whichever is the greater amount.
Texas	TEX. PROP. CODE ANN. § 92.015	N/A	Prohibits a landlord from prohibiting or limiting 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. If a landlord violates this statute, a tenant may recover one month's rent, actual damages, court costs, injunctive relief, and attorney's fees.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
U.S. Virgin Islands	V.I. CODE ANN. TIT. 28 § 753(a)(1)	N/A	Prohibits a landlord from including in a residential rental or lease agreement a provision authorizing the landlord to terminate the agreement or to impose a penalty on a residential tenant for calls made by the residential tenant for peace officer assistance or other emergency assistance in response to a domestic violence or domestic abuse situation. A residential tenant may not waive the tenant's right to call for police or other emergency assistance.
Wisconsin	Wis. STAT. ANN. § 66.0627(7)	N/A	Prohibits any political subdivision from enacting or enforcing an ordinance that imposes a fee on the owner or occupant of property for a call for assistance made by the owner or occupant requesting services related to domestic abuse, sexual assault or stalking.

EARLY LEASE TERMINATION BY BATTERED TENANT

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Arizona	ARIZ. REV. STAT. ANN. § 33-1318	N/A	<p>Permits a tenant who is a victim of domestic violence to terminate a lease if the tenant provides a written request for a lease release to the landlord within 30 days of the domestic violence, unless landlord waives time limit. Written request must be accompanied by an order of protection or a copy of a written departmental report from a law enforcement agency. The landlord may request the name and address of the perpetrator. The tenant will be released from the lease of a mutually agreed release date within thirty days of the written request. The lease for co-tenants is also terminated.</p> <p>Tenant is liable for rent and any monies owed until the date of termination of the lease. A tenant who terminates a lease and is charged or convicted of falsely reporting domestic violence is liable to the landlord for treble damages. The perpetrator who provokes the early lease termination, if named in an order of protection or police report, can be civilly liable for all economic losses incurred by the landlord for the lease term.</p>
California	Cal. Civ. Code § 1946.7	N/A	Permits a tenant to terminate a periodic tenancy due to domestic violence, sexual assault or stalking upon at least 30 days' notice. The written notice must include and be within 180 days of either a copy of a temporary restraining order or a report by a peace officer/ law enforcement agency.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Colorado	COLO. REV. STAT. ANN. § 38-12-402	N/A	<p>Permits residential tenant to terminate lease and vacate premises if the tenant notifies the landlord in writing that the tenant is the victim of domestic violence or domestic abuse and provides to the landlord evidence of domestic violence or domestic abuse in the form of a police report written within the prior 60 days or a valid protection order and the residential tenant seeks to vacate the premises due to fear of imminent danger for self or children because of the domestic violence or domestic abuse.</p> <p>Tenant is responsible for one month's rent following vacation of the premises, which amount is due and payable to the landlord within 90 days after the tenant vacates the premises. The landlord will not be obligated to refund the security deposit to the tenant until such time as the tenant has paid the one month's rent. The landlord and the tenant to a residential rental agreement or lease agreement may use any amounts owed to the other to offset costs for the one month's rent or the security deposit. Applies only if the landlord has experienced and documented damages equal to at least one month's rent as a result of the tenant's early termination of the agreement.</p>
Connecticut	CONN. GEN. STAT. ANN. § 47a-11e	N/A	<p>Applies to rental agreements entered into or renewed after January 1, 2011. Permits tenant to terminate lease (without penalty or liability) upon at least 30 days' written notice to landlord if tenant (1) is a victim of family violence and (2) reasonably believes it is necessary to vacate the dwelling unit due to a fear for the tenant's or the tenant's child's personal safety because of family violence.</p>
Delaware	DEL. CODE ANN., tit. 25, § 5314(b)(6)	N/A	<p>Permits tenant to terminate lease if the tenant is the victim of domestic abuse or is seeking relief from domestic violence or abuse from any court, police agency, or domestic violence program or service.</p>
District of Columbia	D.C. CODE §§ 42-3505.07, 2-1402.21(f)(3)(B)	N/A	<p>Permits early lease termination upon written notice when a tenant provides a court order or documentation by a "qualified third party," including a law enforcement officer, a D.C. Housing Authority Office of Public Safety officer, a health professional or a domestic violence counselor showing that the tenant, or a tenant's child is a victim of an intrafamily offense. The termination request must occur within 90 days of the incident of violence. Tenant rental obligation continues for 14 days after the termination request unless the unit is filled beforehand.</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Illinois	765 ILL. COMP. STAT. 750/15	N/A	<p>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 at the premises, and the tenant gave written notice to the landlord prior to or within 3 days of vacating that he or she left because of the credible imminent threat of domestic or sexual violence.</p> <p>Permits early lease termination without further obligation if the tenant, or a member of the tenant's household, provides evidence that he or she, or a member of the tenant's household, is a victim of sexual violence on the premises, and the tenant gives written notice to the landlord prior to or within 3 days of vacating that he or she vacated as a result of the sexual violence. The tenant must provide the date of the sexual violence and at least one form of the following types of evidence to the landlord to support the sexual violence claim: a statement from an employee of rape crisis or victim services organization from which the tenant or a member of the tenant's household sought services, 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, such as hospitalization or seeking assistance for shelter or counseling."</p>
Indiana	IND. CODE ANN. §§ 32-31-9-12, 32-31-9-13	N/A	<p>Permits early lease termination by a victim of domestic or family violence, sex offense, or stalking when a victim provides the landlord with 30 days' written notice and documentation of the violence by copy of a civil order for protection or a criminal no contact order, restraining the perpetrator from contact with the victim. For domestic violence or sexual assault victims, the victims must also provide a copy of a safety plan provided by an accredited domestic violence or sexual assault program dated within 30 days of the written notice. The victim remains liable for rent and other expenses due under the rental agreement prorated to the effective date of the termination of the lease, but is not liable for rental fees due by virtue of early termination. The victim is entitled to deposits, returns, and other refunds due upon expiration of the rental agreement.</p> <p>The rights and obligations of the other adult tenants in the rental unit continue after the victim's early lease termination. The landlord is not obligated to return any security deposit until 45 days after the tenancy of all tenants has terminated.</p>
Maryland	Md. Code Ann. Real Prop. §§ 8-5A-02 –04	N/A	<p>Victims of domestic violence or sexual assault may terminate a lease upon 30 days' written advance notice accompanied by a copy of a protective or peace order issued to the tenant.</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Minnesota	MINN. STAT. § 504B.206	N/A	Permits a tenant who is a victim of domestic violence and fears, if the tenant remains in the leased premises, imminent domestic abuse against the tenant or the tenant's minor children from a person named in an order for protection or a no contact order to terminate the lease by giving advance written notice to the landlord accompanied by a copy of the order for protection or no contact order. This right may not be waived. The terminating tenant will be liable for rent for the full month in which the lease termination takes place as well as for an additional one month's rent. If there are any other tenants bound by the lease, the lease will continue for those remaining tenants.
New Jersey	N.J. STAT. ANN. § 46:8-9.5 – 9.8		<p>Permits a tenant to terminate a residential lease prior to the expiration date thereof if tenant provides the landlord with written notice that tenant or child of tenant faces imminent threat of serious physical harm if they remain and a copy of one of the following: a permanent restraining order from New Jersey or another jurisdiction, a law enforcement agency record documenting the domestic violence, medical documentation of violence provided by health care provider, certification provided by Domestic Violence Specialist, or other documentation or certification by licensed social worker.</p> <p>Termination is effective on 30th day following receipt by landlord of notice unless landlord and tenant agree to earlier date.</p> <p>If lease is a public housing lease, victim must give notice in accordance with any relevant regulations.</p>
New York	N.Y. REAL PROP. LAW § 227-c	N/A	Permits a victim of domestic violence who has received a protective order to terminate his or her lease upon 10 days' notice pursuant to a court order, and requires that the victim be released from any liability to the lessor subsequent to the termination date. At any time during which the protective order remains in effect, the lessee may seek an order authorizing termination of his or her lease from the court that issued the protective order. The court must issue such order if the lessee establishes that (1) notwithstanding the order of protection there continues to exist a substantial risk of harm to the lessee or his or her children if they remain in the premises and that relocation would substantially reduce such risk; (2) the lessee attempted to obtain the voluntary consent of the lessor to terminate the lease and the lessor refused; and (3) the lessee is acting in good faith. All sums under the lease through the termination date must be timely paid and the premises must be delivered to the lessor upon termination in accordance with the terms of the lease. The court may also sever a co-tenancy if third parties are also tenants under the lease. The lessor and any co-tenants will have the opportunity to be heard by the court regarding the terms and issuance of the termination order.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
North Carolina	N.C. GEN. STAT. § 42-45.1	N/A	<p>Permits a tenant to terminate his or her rental agreement by providing 30 days' written notice; the notice must include: (1) a copy of an order of protection issued under Chapter 50B or 50C of the Statutes, (2) a criminal restraining order, or (3) a valid Address Confidentiality Program card. Victims of domestic violence or sexual assault must submit a copy of a safety plan with the notice to terminate, dated during the lease term, that is provided by a domestic violence or sexual assault program in compliance with G.S. 50B-9 and that recommends relocation.</p> <p>A released tenant is liable for the rent due under the rental agreement prorated to the effective date of termination.</p> <p>If any tenant remains in the dwelling, tenancy will continue for such tenants, and if the perpetrator is such a tenant, he or she remains liable under the lease with any other tenant for rent or damages to the unit.</p>
North Dakota	N.D. CENT. CODE § 47-16-17.1	N/A	<p>Permits a tenant to terminate a lease if the tenant is a victim of domestic violence or fears domestic violence and provides advance written notice to the landlord stating that the tenant fears imminent domestic violence from a person named in a protection order or an order prohibiting contact. The tenant is responsible for the rent for the full month in which the termination occurs as well as an additional month's rent, but will have no additional liability for future rent payments. A landlord may not disclose information provided to the landlord by a tenant documenting domestic violence.</p>
Oregon	OR. REV. STAT. §§ 90.453, 90.456	N/A	<p>Permits 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 to 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.</p> <p>After the release of a victim of domestic violence from a lease, if there are any remaining tenants, the tenancy will remain for those tenants.</p>
Texas	TEX. PROP. CODE ANN. § 92.016	N/A	<p>Permits a tenant to terminate a lease early by providing the landlord with a court order protecting the tenant or an occupant from family violence. Unless the family violence is committed by a cotenant or occupant of the dwelling, the tenant also must provide the landlord with 30 days' written notice of termination. A tenant may not waive the rights provided under this section.</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
U.S. Virgin Islands	V.I. CODE ANN. TIT. 28 § 753	N/A	<p>Permits a tenant to terminate a lease if the tenant provides to the landlord 14 days' advance written notice that the tenant has been the victim of domestic violence or domestic abuse and evidence of domestic violence or domestic abuse in the form of a police report written within the 90 days preceding the notice and the residential tenant seeks to vacate the premises due to fear of imminent danger for self or children because of the domestic violence or domestic abuse.</p> <p>Tenant is not liable for damages to the dwelling unit incurred after the release date and is not subject to any fee solely because of termination of the rental agreement.</p> <p>Notwithstanding the release from a rental agreement of a tenant who is a victim, any other tenant under the agreement remains subject to the rental agreement.</p> <p>The landlord must return the security deposit to the tenant victim upon termination of the lease or rental agreement.</p>
Utah	Utah Code Ann. § 57-22-5.1	N/A	<p>Permits a victim of domestic violence to terminate a rental agreement if the renter is a tenant in good standing and in compliance with all obligations under the rental agreement. The tenant must also provide the owner with written notice of termination and must have a protective order protecting the renter from a domestic violence perpetrator. No later than the date that the renter provides a notice of termination under this section, the tenant must pay the owner the equivalent of 45 days' rent for the period beginning on the date that the renter provides the notice of termination.</p>
Washington	Wash. Rev. Code Ann. § 59.18.352	N/A	<p>Permits a tenant or co-tenant who has been threatened by another tenant to terminate his or her rental agreement upon written notice to the landlord without further obligation if: (1) the tenant informs the landlord that he or she or a co-tenant has been threatened by another tenant with a deadly weapon; (2) the threatening tenant was arrested; and (3) the landlord does not file an unlawful detainer action against the threatening tenant within seven days of notification of the arrest. The terminating tenant is entitled to a pro rata refund of any prepaid rent and the security deposit. What constitutes a "threat" is broadly defined by the criminal code at WASH. REV. CODE ANN. § 9A.04.110(27).</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
<p>Washington</p>	<p>Wash. Rev. Code Ann. § 59.18.575</p>	<p>N/A</p>	<p>Permits a tenant to terminate the rental agreement with no further obligation if a tenant notifies the landlord in writing that the tenant or another household member was the victim of domestic violence, sexual assault, unlawful harassment or stalking, and either (1) the tenant has a valid protection order against the perpetrator, or (2) the tenant has a written record of the tenant's report of the incident to a certain third party acting in his or her official capacity (law enforcement officer, court employee, clergy member, mental health professional, licensed counselor, or advocate at an agency that assists victims of domestic violence). "Domestic violence," "sexual assault," "unlawful harassment" and "stalking" are defined by reference to pre-existing definitions in the state code. The tenant must request to terminate the rental agreement within 90 days of the act giving rise to the protection order or report. Other tenants, except household members who are victims, are not released from the rental agreement. Permits a tenant to terminate the rental agreement prior to making a copy of a valid order of protection or a written third party report available to the landlord if a tenant or household member is a victim of sexual assault, stalking or unlawful harassment by a landlord, provided that the tenant must deliver the documentation to the landlord within seven days of vacating the unit, and the written record must not include the name of the perpetrator unless the landlord makes a written request.</p>
<p>Wisconsin</p>	<p>Wis. STAT. ANN. § 704.16(1)-(3)</p>	<p>N/A</p>	<p>Permits a residential tenant to terminate the tenancy and leave the premises if the tenant or his or her child faces an imminent threat of serious physical harm from another person if the tenant remains, and the tenant provides the landlord with notice and either: an injunction protecting the tenant or the child of the tenant from the person, a condition of release ordering the person not to contact the tenant, a criminal complaint alleging the person sexually assaulted or stalked the tenant or child, or a criminal complaint filed against the person as a result of the person being arrested for committing a domestic abuse offense. If tenant leaves because of a threat of serious physical harm to the tenant or child, the tenant will not be liable for any rent after the end of the month following the month in which he or she provided notice or leaves, whichever is later.</p>

EVICTION DEFENSE – GENERAL			
STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Colorado	COLO. REV. STAT. ANN. § 13-40-104(4)	N/A	Prohibits possession of real property from constituting an unlawful detention if the tenant or lessee is the victim of domestic violence, or of domestic abuse, which was the cause of or resulted in the alleged unlawful detention and which domestic violence or domestic abuse has been documented by a police report or a valid civil or emergency protection order. A rental, lease, or other such agreement cannot contain a waiver by the tenant or lessee of the protections provided in this subsection. Nothing in this subsection will prevent the landlord from seeking judgment for possession against the tenant or lessee of the premises who perpetuated the violence or abuse that was the cause of or resulted in the alleged unlawful detention.
Delaware	DEL. CODE ANN., tit. 25, § 5316	N/A	Prohibits a landlord from pursuing any action for summary possession, demand any increase in rent, decrease any services, or otherwise causing any tenant to quit a rental unit where the tenant is a victim of domestic abuse, sexual offenses, or stalking, and where the tenant has obtained or has sought assistance for domestic abuse, sexual offenses, or stalking from any court, police, medical emergency, domestic violence, or sexual offenses program or service. Creates a rebuttable presumption if the tenant proves that the landlord instituted any of the prohibited actions within 90 days of any incident in which the tenant was a victim of domestic abuse, sexual offenses and/or stalking. Permits the landlord to rebut the presumption by demonstrating one or more of a list of justifications. A tenant who is delinquent in rent may not take advantage of this statute.
District of Columbia	D.C. CODE § 42-3505.01	N/A	Provides a defense against eviction for victims of intra-family offenses where the eviction is based on an intra-family offense or actions relating to an intra-family offense. Defense is absolute where there is a court order or a temporary or civil protection order. Court has discretion where offense is documented by a recent police report or victim has filed for, but not received, a civil protection order.
Illinois	735 ILL. COMP. STAT. 5/9-106.2	N/A	Provides domestic and sexual violence victims with an affirmative defense to an eviction based on their status as victims of domestic of sexual violence or based on criminal activity directly relating to domestic violence, dating violence, stalking or sexual violence committed against them. The tenant must provide at least one form of the following types of evidence: medical, court, or police records documenting the violence or a statement from an employee of a victim services organization or from a medical professional from which the tenant or a member of the tenant's household sought services.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Maryland	Md. Code Ann. Real Prop. § 8-5A-05	N/A	Prohibits a landlord from bringing an action to evict a victim of domestic violence based upon acts of domestic violence against that tenant.
New Jersey	N.J. STAT. ANN. § 2A:18-53, 18-61.1	N/A	Permits any lessee or tenant at will or at sufferance to be removed from such premises by the Superior Court, except for residential leases and tenants included in section 2 of this act, in an action in the following cases: hold over after expiration of term, hold over after default in rent, disorderly or destructive. However, the statute cannot be construed to authorize the removal of a lessee or tenant from any house, building or mobile park leased for residential purposes based on such person's status as a victim of domestic violence, sexual assault, or stalking.
Virginia	VA. CODE ANN. § 55-248.31(D)	N/A	Prohibits termination of a lease due solely to an act of family abuse against the tenant, if such tenant is a victim of family abuse that occurred in the dwelling unit or on the premises and the perpetrator is barred from the dwelling unit based upon information provided by the tenant to the landlord, or by a protective order from a court. The tenant must (1) provide written documentation corroborating the tenant's status as a victim of family abuse and the exclusion of the perpetrator no later than 21 days from the alleged offense and (2) promptly notify the landlord within 24 hours if the perpetrator returns to the dwelling unit or the premises in violation of a bar notice, unless the tenant proves that the tenant had no actual knowledge that the perpetrator violated the notice, or it was not possible for the tenant to notify the landlord within 24 hours, in which case the tenant must promptly notify the landlord no later than 7 days thereafter.
Washington	WASH. REV. CODE ANN. § 59.18.580	N/A	Permits a tenant who has been discriminated against in violation of WASH. REV. CODE ANN. § 59.18.580(1) (prohibiting housing discrimination based on the tenant's status as a victim of domestic violence, sexual assault or stalking) to use the fact of that discrimination as a defense in an unlawful detainer action initiated by the landlord.
Wisconsin	WIS. STAT. ANN. § 106.50(5m)(dm)	N/A	Provides tenant with a defense to eviction if tenant proves by a preponderance of the evidence that landlord knew or should have known that tenant is a victim of domestic abuse and that the basis for action for eviction is conduct related to the commission of domestic abuse by a person who was not the invited guest of tenant or who was a guest and tenant has sought an injunction or provided a written statement to landlord that person is no longer an invited guest.

EVICTIION DEFENSE – CRIMINAL ACTIVITY			
STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Illinois	735 ILL. COMP. STAT. 5/9-106.2	N/A	Provides domestic and sexual violence victims with an affirmative defense to an eviction based on their status as victims of domestic or sexual violence or based on criminal activity directly relating to domestic violence, dating violence, stalking or sexual violence committed against them. The tenant must provide at least one form of the following types of evidence: medical, court, or police records documenting the violence or a statement from an employee of a victim services organization or from a medical professional from which the tenant or a member of the tenant's household sought services.
Iowa	IOWA CODE §§ 562A.27A, 562B.25A(3)	N/A	Creates an exemption from the statutory provision permitting landlords to terminate the tenancy of tenants who create a "clear and present danger" to others for any tenant where the activities creating the danger were conducted by a person other than the tenant, and the tenant (a) sought a protective order or similar order against the person creating the danger; (b) reported the person creating the danger to a law enforcement agency in an effort to initiate criminal action against the person creating the danger; or (c) wrote a letter to the person creating the danger (with a copy to a law enforcement agency) telling the person not to return to the premises and warning the person that a return to the premises may result in a trespass or other action. A tenant may not rely on the exemption in (c) if the tenant previously wrote a letter to the person creating the danger, the tenant did not take any action specified in (a) or (b), and that person nonetheless returns to the premises and conducts further activities creating the danger. A landlord seeking to terminate a tenancy on grounds of "clear and present danger" must notify the tenant in writing as to "the specific activity causing the clear and present danger" and inform the tenant in writing of the specific protections described above.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Louisiana	LA. REV. STAT. ANN. § 40:506(D)	N/A	Provides a defense against eviction for victims of domestic violence when the landlord seeks to evict the victim on the grounds that the tenant or the tenant's guests has engaged in unlawful criminal behavior. Housing authorities may not terminate the tenancy of a residency on the grounds of domestic abuse, dating violence, or family violence against a resident. Housing authorities may, however, terminate the tenancy of the 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.
New Mexico	N.M. STAT. ANN. § 47-8-33 (I), (J)	N/A	Provides that if the resident knowingly commits (or consents to another person committing) a substantial violation, the owner must deliver a written notice to the resident specifying the time, place and nature of the act constituting the substantial violation and that the rental agreement will terminate upon a date not less than 3 days after receipt of the notice. Provides a defense from eviction for a victim of domestic violence if the landlord tries to evict the tenant on the grounds that the 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.
Oregon	OR. REV. STAT. § 90.449(1)(c)	N/A	Provides defense where eviction is form of discrimination against victim of domestic violence that does not fall within exception.
Washington	WASH. REV. CODE ANN. § 59.18.130 (8)(B)(ii)	N/A	Permits landlord to evict a tenant who has engaged in activities "imminently hazardous" to the safety of others (because they entail physical assaults or use of a deadly weapon and result in arrest). This statute provides that no part of that section may be used to terminate a tenancy or evict the victim of a physical assault or the threatened use of a firearm or other deadly weapon.
Wisconsin	WIS. STAT. ANN. § 106.50(5m)(d)	N/A	Prohibits a claim that an individual's tenancy would constitute a direct threat to safety of other persons from being based on tenant's status as victim of domestic abuse, sexual assault or stalking.

CIVIL REMEDY OF TENANTS FOR VIOLATIONS			
STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Minnesota	MINN. STAT. § 504B.205	N/A	Provides a civil right of action for tenants whose right to summon police assistance has been violated to recover against landlords for breach, with recovery to be the greater of \$250 or actual damages plus reasonable attorney's fees.
Oregon	OR. REV. STAT. § 90.449	N/A	Permits tenants to recover up to two months' rent or twice their actual damages sustained if landlord violates the housing anti-discrimination law. However, tenants cannot recover attorney's fees from landlord if landlord did not actually know about the domestic violence.
Texas	TEX. PROP. CODE ANN. § 92.015(c)	N/A	Permits tenants whose right to summon police assistance has been violated to recover the following against the landlord: civil penalty equivalent to one month's rent; actual damages incurred from the violation; court costs; injunctive relief; and reasonable attorney's fees.
Washington	WASH. REV. CODE ANN. § 59.18.580(2)	N/A	Permits tenant or applicant to bring a civil action and recover damages, court costs, and reasonable attorney's fees if landlord violates the housing anti-discrimination law.
LEASE BIFURCATION			
STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Arkansas	ARK. CODE ANN. § 18-16-112(c)(3) (A)-(B)	N/A	Permits a landlord to terminate the residential tenancy agreement of the domestic abuse offender and to evict the domestic abuse offender whether or not a residential tenancy agreement between the landlord and domestic abuse offender exists. The law does not address what effect this has on co-tenants or in situations where the victim resides at the offender's residence but is not on the lease or rental agreement.
Indiana	IND. CODE ANN. § 32-31-9-12, 13, 14	N/A	<p>A tenant may have their renter obligations terminated if they are a victim of domestic violence or sexual assault and provide the landlord thirty days' notice, a copy of a civil protection order or a criminal no contact order, and a copy of a safety plan.</p> <p>The rights and obligations of other adult tenants of the dwelling unit under the rental agreement continue unaffected.</p> <p>A perpetrator who is a tenant and who is excluded from a dwelling unit under a court order remains liable under the lease with other tenants of the dwelling unit for rent and for the cost of damages to the dwelling unit.</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
New York	N.Y. REAL PROP. LAW § 227-c(2)(c)(ii)(b)	N/A	Provides for bifurcation of a lease in the case of early lease termination by a domestic violence victim. Allows a court to sever a co-tenancy if individuals other than victim and perpetrator are tenants.
Oregon	OR. REV. STAT. §§105.128, 90.456	N/A	Permits court to evict only perpetrator in action for possession by landlord. Non-victim tenant remains on the lease if victim tenant breaks lease with early lease termination provision. Non-perpetrator tenants remain on lease if perpetrator is excluded/ evicted.
Wisconsin	WIS. STAT. ANN. § 704.16-19	N/A	Permits landlord to evict tenant where one tenant causes another tenant, including a child, to face imminent risk of serious physical harm if the tenant remains in the property, where there is an injunction or condition of release ordering the tenant to stay away or where there is a criminal complaint alleging sexual assault, domestic abuse or stalking against the tenant. Landlord must give written notice to tenant with at least 5 days to vacate.

LIABILITY OF PERPETRATOR

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
American Samoa	AM. SAMOA CODE ANN. § 47.0204(c)(4)(a)	N/A	Permits the court to order the abuser to: "Pay rent or make payment on a mortgage on the petitioner's residence if the respondent is found to have a duty to support the petitioner or minor child."
American Samoa	AM. SAMOA CODE ANN. § 47.0204(c)(4)(b)	N/A	Permits the court to order the abuser to: "Reimburse the petitioner or other person for any expenses associated with the domestic or family violence, including but not limited to . . . shelter."
Arkansas	ARK. CODE ANN. § 18-16-112	N/A	Permits a landlord to seek damages against a domestic abuse offender for any unpaid rent or damages arising out of a documented incident of domestic abuse. A landlord is immune from civil liability if acting in good faith in accordance with the statute in changing locks, seeking damages against a domestic abuse offender, refusing access to a domestic abuse offender, or terminating the lease of or evicting a domestic abuse offender.
California	CAL. CIV. PROC. CODE § 1161(4)	N/A	Permits landlord to terminate a lease of an abusive tenant for committing a nuisance or unlawful activity on the property.
Indiana	IND. CODE ANN. § 32-31-9-14	N/A	Provides for continued liability under the lease for rent and cost of damages to the dwelling unit for a perpetrator who is a tenant and is excluded from a dwelling unit under a court order.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Minnesota	MINN. STAT. § 244.052 Subd. 4a(b)	N/A	Permits a property owner or property manager that has an agreement with a governmental agency to provide housing to domestic abuse victims to, upon discovering that a tenant is a level III sex offender, evict the offender.
Mississippi	MISS. CODE ANN. § 93-21-15	N/A	Permits the court in issuing temporary and final domestic abuse protection orders or consent agreements to order the respondent to pay monetary losses suffered by the petitioner as a direct result of the abuse, including moving expenses.
Montana	MONT. CODE ANN. § 45-5-206(5)	N/A	Requires the offender, after determining the financial resources and future ability of the offender to pay restitution, to pay the victim's reasonable actual medical, housing, wage loss and counseling costs, if the offender is able to pay.
Nevada	NEV. REV. STAT. § 33.030	N/A	Allows the court by an extended order to order the abuser to pay rent or make payments on a mortgage on the victim's place of residence.
U.S. Virgin Islands	V.I. CODE ANN. tit. 16 § 92	N/A	Requires police officer to give a notice of victims' rights that states: you may seek a court order where the court "may order the person who abused you to move out of the residence where you live, to pay your rent there or elsewhere..."
Virginia	VA. CODE ANN. § 16.1-279.1	N/A	Allows courts in cases of family abuse to issue a protective order, for a specified period of time up to a maximum of two years, to protect the health and safety of a victim of family abuse and his or her family or household members. A protective order may include: (1) granting the petitioner possession of the residence occupied by the parties to the exclusion of the perpetrator; however, no grant of possession will affect title; (2) enjoining the perpetrator from terminating any necessary utility service to a residence or ordering the perpetrator to restore such utility services and/or (3) requiring that the perpetrator provide suitable alternative housing for the petitioner and, if appropriate, any other family or household member and requiring the perpetrator to pay deposits to connect utility services in such alternative housing.
Wisconsin	WIS. STAT. ANN. § 704.16(3)	N/A	Permits landlord to terminate tenancy of "offending tenant" if the offending tenant commits one or more acts (including threats) that cause another tenant or child of tenant who occupies a dwelling unit in the same single-family unit or complex to face an imminent threat of serious physical harm from the offending tenant if the offending tenant remains or if the offending tenant is the named offender in an injunction or criminal complaint.

LOCK CHANGES			
STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Arizona	ARIZ. REV. STAT. ANN. § 33-1318	N/A	Permits a victim of domestic violence to require the landlord to install a new lock if the tenant pays for the cost. Landlord may refuse to supply new key to perpetrator listed on departmental report or protective order regardless of any contrary lease provision.
Arkansas	ARK. CODE ANN. § 18-16-112	N/A	Permits changing of locks, at tenant's expense and with landlord's prior consent, by either tenant or landlord where tenant is a victim of domestic abuse. To qualify as a "victim of domestic abuse" the abuse must be documented in a court order and must have occurred within the preceding 60 days.
California	Cal. Civ. Code § 1941.5	N/A	Requires landlord to change locks within 24 hours after notice of police report, or permits client to do so if landlord does not change locks within stipulated time period.
District of Columbia	D.C. CODE § 42-3505.08	N/A	Permits a victim of intra-family offense to provide written notice to landlord to change locks but victim must provide protective order if perpetrator is also a tenant. Landlord must pay for lock change within 5 business days and may submit bill to tenant within 45 days. Landlord may not charge more than standard lock change fees imposed on other tenants. Landlord may not provide perpetrator with keys to unit or otherwise allow access unless a court so orders.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Illinois	765 ILL. COMP. STAT. 750/20, 750/25	N/A	<p>Permits a tenant to request that the landlord change the locks within 48 hours if the tenant reasonably believes that the tenant or a member of the household is under a “credible imminent threat” of domestic or sexual violence at the premises. If the threat of violence is from a person who is not a lessee under the written lease, written notice from all tenants who have signed as lessees under the lease must be provided, along with at least one form of the following types of evidence: court, medical, or police reports, or a statement from an employee of a rape crisis or victim services organization from which the tenant or a member of the tenant’s household sought services. If the threat of violence is from a person who is a lessee under a written lease, notice to the landlord requesting a change of locks must be accompanied by a Plenary Order of Protection or a Plenary Civil No Contact Order providing exclusive possession of the premises to one of the tenants in the household. The landlord may charge a fee to the tenant for the cost of the change. If the landlord fails to change the locks within the 48 hour period after being provided with notice and evidence, the tenant may change the locks without the landlord’s permission, and provide the landlord with a copy of the key within 48 hours.</p> <p>If the landlord prevents a tenant who has complied with the requirements to request a lock change from changing his or her locks, the tenant may seek a temporary restraining order, preliminary injunction, or permanent injunction ordering the landlord to refrain from preventing the tenant from changing the locks. If a tenant or landlord changes the locks and does not make a good faith effort to provide a copy of the key to the other party within 48 hours, the party could be liable for damages resulting from denial of access to the unit.</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Indiana	IND. CODE ANN. §§ 32-31-9-9, 32-31-9-10, 32-31-9-11	N/A	<p>Requires landlord to change locks within 48 hours after being provided a written request by a tenant to the landlord that includes a copy of a civil order for protection or a criminal no contact order, restraining an outside perpetrator from contact with the individual.</p> <p>If a tenant provides written request to the landlord and includes a copy of a civil order for protection or a criminal no contact order, restraining a resident perpetrator from contact with the individual, the landlord must change the locks within 24 hours after being provided notice. The landlord may not allow the resident perpetrator to return to the dwelling to retrieve his or her personal property unless the court order so provides.</p> <p>The tenant must reimburse the landlord for the actual expense incurred. If the landlord fails to change the locks within the time set forth above, the tenant may change the locks without the landlord's permission and the landlord must reimburse the tenant for the actual expense incurred. The tenant must give the landlord the new key within 24 hours of changing the locks.</p>
Maryland	Md. Code Ann., Real Prop. § 8-5a-06	N/A	<p>Requires landlord to change locks by the close of the next business day in response to a notice of a written request for locks to be changed. The written request must be accompanied by a copy of a protective or peace order issued for the benefit of the tenant or legal occupant.</p>
Massachusetts	MASS. GEN. LAWS ANN. ch. 209A, § 3	N/A	<p>Permits a person suffering from abuse by a family or household member to file a complaint in court requesting protection from such abuse including ordering the defendant to pay the abused person monetary compensation for losses suffered as a direct result from such abuse. This includes, but is not limited to, replacement costs for locks.</p>
New Hampshire	N.H. REV. STAT. ANN. § 540:2, VII(b)	N/A	<p>Provides that if a tenant has obtained a protective order granting him or her possession of a dwelling to the exclusion of one or more other tenants, then tenant can request, at tenant's expense, that the lock be replaced.</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
North Carolina	N.C. GEN. STAT. § 42-42.3	N/A	<p>Permits a tenant to give oral or written notice to the landlord that the protected tenant is a victim of sexual abuse or domestic violence and request that the locks to the unit be changed, if the perpetrator is not a tenant in the same dwelling as the protected tenant. No documentation is necessary. Landlord must change the locks or give permission to do so within 48 hours.</p> <p>If the perpetrator is a tenant in the same dwelling, the same notice may be given, and the following will apply: (1) before the landlord changes the locks, the tenant must provide the landlord with a court order mandating that the perpetrator stay away from the dwelling; (2) unless the court order permits it, the landlord has no duty to allow the perpetrator to return to the dwelling, to provide keys to the perpetrator, or to provide the perpetrator access to retrieve belongings (a landlord complying with this section will not be liable for doing so); and (3) the excluded perpetrator remains liable under the lease along with any other tenant for rent and damages. A landlord has 72 hours to change the locks.</p> <p>The protected tenant must bear the expense of all lock changes.</p>
Oregon	OR. REV. STAT. § 90.459	N/A	<p>Requires landlord to change the tenant's locks or give the tenant permission to change the locks upon the tenant's request if tenant gives actual notice to landlord that the tenant has been a victim of domestic violence, sexual assault, or stalking. If the perpetrator of the violence is also a tenant in the 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.</p>
Utah	UTAH CODE ANN. § 57-22-5.1	N/A	<p>Permits a renter who is a crime victim to require the owner to install a new lock to the renter's residential rental unit if the renter provides the owner with an acceptable form of documentation of domestic violence, stalking, sexual offense, burglary, or dating violence. The renter must pay for the cost of installing the new lock. An owner may comply with this section by rekeying the lock if the lock is in good working condition or changing the entire locking mechanism with a locking mechanism of equal or greater quality than the lock being replaced.</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Virginia	VA. CODE ANN. §§ 55-225.5, 55-248.18:1	N/A	Permits a tenant who has obtained a court order (not issued ex parte) granting him/her possession of the premises to the exclusion of one or more co-tenants or authorized occupants to provide the landlord with a copy of such court order and request that the landlord either (1) install a new lock or other security devices on the exterior doors of the dwelling unit at the landlord's actual cost or (2) permit the tenant to do so. A landlord who has received a copy of such court order cannot provide copies of any keys to the unit to any person excluded from the premises by such order. Upon termination of the tenancy, the tenant will be responsible for payment to the landlord of the reasonable costs incurred for the removal of all such devices installed and repairs to all damaged areas.
Washington	Wash. Rev. Code Ann. § 59.18.585	N/A	Requires landlord to change the lock on the dwelling at the tenant's expense if the tenant provides the landlord with a copy of a court order giving the tenant possession of a dwelling to the exclusion of one or more co-tenants. The landlord is prohibited from providing new keys to the excluded tenant.
Wisconsin	Wis. STAT. ANN. § 704.16(4)	N/A	Requires landlord to change the locks to the tenant's premises or give tenant permission to change the locks within 48 hours of the request of a tenant who provides a certified copy of an injunction or criminal complaint. If the person who is the subject of the injunction or complaint is also a tenant, the landlord will only have to change the locks if the requesting tenant provides documentation that forces the subject of the document to avoid the premises or not contact the tenant.

RELOCATION ASSISTANCE AND RIGHT TO EMERGENCY SHELTER

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Arkansas	ARK. CODE ANN. §§ 9-4-105, 9-4-106	N/A	Allows for state funding of shelters providing emergency housing to domestic abuse victims and their children, subject to the shelters meeting certain qualification criteria.
California	CAL. WELF. & INST. CODE §11450(2)(E)(iii)	N/A	Allows families that are left homeless as a direct result of domestic violence to be eligible to receive homeless assistance, including temporary and permanent housing.
Connecticut	CONN. GEN. STAT. § 17b-808(a)(2)	N/A	Requires the Commissioner of Social Services to provide a special needs benefit for emergency housing to temporary family assistant program or state supplementation program recipients who relocate due to domestic violence.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Delaware	DEL. CODE ANN. tit. 11, §§ 9001-9025	N/A	Permits victims of “crimes,” including victims of domestic violence, who are injured to apply for indemnification of pecuniary loss to the Victim’s Compensation Assistance Program. “Pecuniary loss” includes housing related expenses and temporary housing expenses, in each case subject to statutory caps.
Florida	FLA. STAT. ANN. § 960.198	N/A	Provides that the Department of Legal Affairs may award a one-time payment of up to \$1,500 on any one claim and a lifetime maximum of \$3,000 to a victim of domestic violence to assist in relocation. The following requirements must be met in order for an award to be granted: (1) there must be proof that a domestic violence offense was committed; (2) the domestic violence offense must be reported to the proper authorities; (3) the victim’s need for assistance must be certified by a certified domestic violence center in Florida; and (4) the center certification must assert that the victim is cooperating with law enforcement officials, if applicable, and must include documentation that the victim has developed a safety plan.
Georgia	GA. CODE ANN., § 49-4-191	N/A	Provides that the Georgia Department of Human Services can (1) waive certain requirements to receive TANF (Temporary Assistance for Needy Families), if compliance with such requirements would prevent individuals from escaping domestic violence or unfairly penalize individuals who have been victims of domestic violence and (2) refer recipients of TANF who are victims of domestic violence to counseling and supportive services.
Iowa	IOWA CODE §§ 236.16, 16.40	N/A	Permits the Iowa DOJ to designate and award grants for programs to provide emergency shelter services to victims of domestic abuse. Creates a housing assistance fund within the Iowa Finance Authority and permits moneys in the fund to be used for programs that provide domestic violence shelters.
Louisiana	LA. REV. STAT. ANN. §§ 46:2123, 46:2124	N/A	Requires the office of community services to establish full-time, community-based, family oriented shelters for the victims of family violence and their children. The shelters must include an around-the-clock day shelter which provides safe refuge and temporary lodging for victims of family violence and their children who are victims or potential victims. This shelter must include a day program or drop-in center which can assist the victims of family violence who have not yet made the decision to leave their homes, or who have found other shelter but who have a need for the services provided at the centers.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Maine	ME. REV. STAT. ANN. tit. 22, § 8501	N/A	Provides that the Department of Health and Human Services must provide, through social service contracts, emergency services to family members who cannot safely remain in their homes because of violence, serious threat of violence, or other serious family crisis. The emergency services include "shelter care" and "other necessary services."
Minnesota	MINN. STAT. § 611A.32	N/A	Creates program for awarding grants to programs that provide emergency shelter services to battered women and support services to battered women and domestic abuse victims and their children.
Mississippi	MISS. CODE ANN. § 93-21-101 et seq., 99-41-5, 93-21-28	N/A	<p>Establishes a domestic violence shelter program and sets requirements that domestic violence shelters must meet in order to qualify for funding.</p> <p>Permits victims of domestic violence in "imminent danger" to receive temporary housing and relocation assistance under Mississippi's Crime Victims' Compensation Act.</p> <p>Requires law enforcement officer responding in a domestic abuse case to advise the complainant of sources of shelter, etc. Upon request and where feasible, the officer is also required to transport the complainant to appropriate facilities such as hospitals and shelters, and accompany the complainant to his or her residence to gather necessary food, clothing, et cetera.</p>
New Hampshire	N.H. REV. STAT. ANN. § 126-A: 63	N/A	Requires the state to loan the first month of rent and security deposit if an individual has no permanent address and is residing in a shelter, hotel, motel, the home of another or entirely without shelter.
New Jersey	N.J. STAT. ANN. §§ 30:14-3, 14-7, 14-8	N/A	<p>Requires the Department of Human Services to provide services to public or private agencies to operate shelters for victims of domestic violence.</p> <p>Requires a shelter to provide a residential area which provides safe refuge for victims of domestic violence as well as day program or drop-in center for victims who have not yet made the decision to leave their homes. A shelter must offer services of: emergency medical care, emergency legal assistance, marriage and family counseling, information regarding education, job counseling and training programs.</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
New York	N/A	<p>McCain v. Bloomberg, 806 N.Y.S.2d 446 (Sup. Ct. 2005)</p> <p>Eldredge v. Koch, 469 N.Y.S.2d 744 (N.Y.A.D. 1983)</p> <p>Callahan v. Carey, 909 N.E.2d 1229 (2009)</p>	<p>McCain: Establishes the right to adequate emergency shelter for home families and placed the city and its family shelter services system under court supervision until 2008, where a class action was brought against New York City alleging insufficient shelter capacity and lack of standards governing shelter for homeless families with children. In 2008, the parties entered into an agreement setting forth the standards under which homeless families will be treated, including ensuring safe and decent emergency shelter for homeless families with children.</p> <p>Eldredge: Holds that homeless women are constitutionally entitled to treatment equal to that provided to homeless men, where a group of homeless women brought a class action suit alleging that New York City failed to provide homeless women adequate shelter facilities in violation of their rights under the equal protection clauses of the Federal and New York State Constitutions. Nevertheless, holds that substantial questions existed as to whether the women's right to equal treatment had actually been violated and therefore denied plaintiff's motion for summary judgment.</p> <p>Callahan: Holds that single homeless men have the right to adequate emergency shelter.</p>
North Dakota	N.D. CENT. CODE § 14-07.1-16; N.D. ADMIN. CODE 33-28-01	N/A	Establishes a domestic violence and sexual assault prevention fund, administered by the state Department of Health, for grants to domestic violence sexual assault organizations, which include private nonprofits whose primary purpose is to provide emergency housing, crisis lines, community education, and referral services for victims of domestic violence and sexual assault.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Oklahoma	OKLA. ADMIN. CODE §§ 75:15-2-1, 75:15-2-3, 75:15-2-4, 75:15-7-5	N/A	<p>Requires all state certified domestic violence and sexual assault programs to provide crisis intervention, including, but not limited to, emergency housing such as hotel or motel available for victims and their dependent(s).</p> <p>Programs with transitional living programs must maintain homes, apartments, or other residential living environments suitable for survivors of domestic and sexual violence, stalking and their dependents, if applicable with access to necessary furniture and equipment and reasonable heating and cooling.</p> <p>Programs with Safe Home programs must provide confidential housing 24 hours/365 days/year and ensure that each safe home provides residents with access to minimum necessities including bedding, clothing, articles for grooming and personal hygiene, and food.</p> <p>Domestic violence victims with disabilities and/or service animals will be afforded appropriate housing and services.</p>
Pennsylvania	23 PA. STAT. ANN. § 6365(a)	N/A	Requires each county agency (as defined in Section 6303) to make available among its services for the prevention and treatment of child abuse emergency shelter care, among other services described.
Texas	TEX. HUM. RES. CODE ANN. §§ 51.001-51.0021; 1 TEX. ADMIN. CODE §§ 379.601-.635	N/A	Funds and regulates family violence shelters throughout the state.
Texas	TEX. CODE CRIM. PROC. ANN., arts. 56.32, 56.42	N/A	Permits victims of family violence to receive reasonable and necessary costs for relocation and housing rental expenses, subject to certain limits.
Texas	TEX. PROP. CODE ANN. § 92.010	N/A	Requires landlords to limit the number of adult tenants in a leased residential dwelling to three per bedroom. A landlord may allow a higher adult occupancy rate if, among other things, an adult is seeking temporary sanctuary from family violence for a period of one month or less.
U.S. Virgin Islands	V.I. CODE ANN. tit. 16 § 91a(c)(5)	N/A	Encourages police officers to provide or arrange for transportation for the victim to a safe place or shelter.
Wisconsin	WIS. STAT. ANN. § 49.138(1m)	N/A	Requires the department of health services to implement a program of emergency assistance to needy persons in cases of fire, flood, natural disaster, homelessness or impending homelessness or energy crisis. A family is considered to be homeless or facing homelessness if a member of the family was a victim of domestic abuse.

POSSESSION OF PROPERTY AND EXCLUSION OF ABUSER			
STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Alabama	Ala. Code § 30-5-7	N/A	Allows a court to exclude a perpetrator of domestic violence from the residence of the victim, regardless of ownership of the residence. A court may also require the defendant to provide alternate housing where defendant has a duty to support the victim or any children in household.
Alaska	ALASKA STAT. § 18.66.100	N/A	Permits a person who is or has been a victim of domestic violence to file a court petition for a protective order against a household member. If the court finds by a preponderance of evidence that the respondent has committed a crime involving domestic violence, the court may issue a protective order which may, among other things: (1) remove and exclude the respondent from the residence of the petitioner, regardless of ownership of the residence; or (2) require the respondent to reimburse the petitioner or other person for expenses associated with the domestic violence, including shelter.
American Samoa	AM. SAMOA CODE ANN. § 47.0202(c)(2)	N/A	Mandates that an order for protection must forbid abuser "to enter or stay at the petitioner's residence, even if invited to do so by the petitioner or any other person. In no event is the order for protection voided."
Arkansas	ARK. CODE ANN. § 18-16-112	N/A	Permits the abuser to access either residence only as permitted by the court order or another court order where a domestic abuse offender is under a court order to stay away from a co-tenant residing in either the abuser's residence or the co-tenant's residence. A landlord may refuse access by any domestic abuse offender to the resident of a victim of domestic abuse. To qualify as a "victim of domestic abuse," the abuse must be documented in a court order and must have occurred within the preceding 60 days. A landlord may seek to terminate the lease of or evict any domestic abuse offender and is entitled to a court order terminating the tenancy upon proof that such person is a domestic abuse offender.
California	Cal. Fam. Code § 6321	N/A	Allows a court to exclude a party from a family dwelling for protection from domestic violence, regardless of which party holds legal or equitable title.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Florida	FLA. STAT. ANN. § 741.30	N/A	<p>Creates a cause of action for an injunction for protection against domestic violence.</p> <p>Provides that if it appears to a court that an immediate and present danger of domestic violence exists, the court may grant a temporary injunction ex parte, pending a full hearing, and may grant such relief as it deems proper, including an injunction awarding to the petitioner the temporary exclusive use and possession of the dwelling that the parties share or excluding the respondent from the residence of the petitioner.</p> <p>Provides that when it appears to the court that the petitioner is either the victim of domestic violence or has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence, the court may grant such relief as it deems proper, including an injunction awarding to the petitioner the exclusive use and possession of the dwelling that the parties share or excluding the respondent from the residence of the petitioner.</p>
Florida	N/A	Wolf v. Wolf, 979 So.2d 1123 (Fla. Dist. Ct. App. 2008)	<p>Holds that the trial court did not abuse its discretion in awarding husband credit for half of the rental value of the marital residence during a period when the wife had exclusive possession of the residence due to a final judgment for protection against domestic violence. The appeals court found that silence on the issue of rental value in a final judgment for protection against domestic violence that awards exclusive possession of a marital residence does not preclude an award of rental value in a future, final judgment of dissolution of marriage.</p>
Guam	9 GUAM CODE ANN. §§ 30.21, 30.32	N/A	<p>Allows a court to impose an order directing the defendant to vacate the defendant's residence in a domestic violence proceeding. A court may also impose an order requiring a defendant to pay certain costs and fees, including rent or mortgage payments, for the victim.</p>
Guam	7 GUAM CODE ANN. § 40105	N/A	<p>Allows for eviction of defendant while plaintiff remains in possession of residence or household when the residence or household is jointly owned or leased by the parties. In instances where the defendant is the sole owner or lessee and has the duty to support plaintiff or minor children living in the residence or household, allows for eviction of defendant while plaintiff remains in possession of the residence or household or, by consent agreement, allows the defendant to provide suitable, alternative housing. Such orders shall be for a fixed period of time as the court deems appropriate and do not affect title to the property.</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Hawaii	HAW. REV. STAT. § 586-4	N/A	Provides that a temporary restraining order may enjoin the restrained person from entering or visiting the protected party's residence.
Idaho	IDAHO CODE ANN. § 39-6308 (1)(a),(b), (f)	N/A	Allows a court to grant an ex parte temporary protection order: (1) restraining any party from committing acts of domestic violence; (2) excluding any party from the dwelling shared or from the residence of the other until further order of the court; or (3) restraining the respondent from entering any premises when it appears to the court that such restraint is necessary to prevent the respondent from menacing the minor children whose custody is awarded to the petitioner.
Indiana	IND. CODE ANN. § 32-31-9-14	N/A	Provides for continued liability under the lease for rent and the cost of damages to the dwelling unit for a perpetrator who is a tenant and is excluded from a dwelling unit under a court order.
Iowa	IOWA CODE §§ 236.5, 236.7	N/A	<p>Allows a court to grant a protective order, or approve a consent agreement, upon a finding that a person has engaged in domestic abuse, containing a provision that the person who perpetrated the abuse grant possession of the residence to the victim to the exclusion of the perpetrator or that the perpetrator provide suitable alternative housing for the victim.</p> <p>A person's right to apply for a protective order is not affected by leaving the residence or household to avoid domestic abuse.</p>
Kansas	KAN. STAT. ANN. § 60-3107(a)(2), (a)(3), (a)(5), (d)	N/A	<p>Allows a protective order that (1) grants possession of the residence to the plaintiff to the exclusion of the defendant, (2) requires defendant to provide suitable, alternative housing for the plaintiff and any minor children of the parties, and (3) orders a law enforcement officer to evict the defendant from the residence.</p> <p>If the parties are not married and one party owns the residence, the court does not have the authority to grant possession of the residence to the exclusion of the party who owns it.</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Kentucky	KY. REV. STAT. ANN. §§ 403.740(1)(e), (g), 403.761, 403.750(1)(e)	N/A	Requires a court to issue upon proper motion, ex parte, an emergency protective order, if a court determines the presence of an immediate and present danger of domestic violence, which requires the adverse party to take certain actions, including, but not limited to, directing the adverse party to vacate the residence shared by the parties to the action or restraining the adverse party from approaching the petitioner or a minor child of the petitioner within a distance specified in the order, not to exceed 500 feet. Courts may impose further restrictions on an adverse party in a situation of a "substantial violation" of a domestic violence order. Following the hearing provided for under KY. REV. STAT. ANN. §§ 403.740 and 403.745, the court, if it finds from a preponderance of the evidence that an act or acts of domestic violence and abuse have occurred and may again occur, may, among other actions, direct the adverse party to vacate the residence shared by the parties to the action.
Louisiana	LA. REV. STAT. ANN. § 46:2135	N/A	Permits a victim of family abuse to get a temporary restraining order granting them possession of the residence or household to the exclusion of the abuser where (1) the residence is jointly owned by the abuser and the victim or leased by the abuser and victim, (2) the residence is solely owned by the victim and (3) the residence is solely leased by the abuser and the abuser has a duty to support the victim.
Maine	ME. REV. STAT. ANN. tit. 19-A § 4007 (1)(E)	N/A	Provides that a court may grant a protective order or consent agreement to bring about a cessation of abuse or alleged conduct. Relief granted may include, among other things, when the mutual residence or household of the parties is jointly owned or leased, or when one party has a duty to support the other or their minor children living in the residence or household and that party is the sole owner or lessee, granting or restoring possession of the residence or household to one party, excluding the other, or a consent agreement allowing the party with the duty to support to provide alternate housing.
Maryland	Md. Code Ann. Real Prop. § 8-5a-05	N/A	Allows a court in an action to evict a victim of domestic abuse to evict the perpetrator of the violence if the apartment is shared.
Maryland	Md. Code Ann. Fam. Law §§ 4-504.1, 4-505	N/A	Allows a court to grant a protective order requiring the restrained party to vacate the home and award temporary use and possession to protected party.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Massachusetts	MASS. GEN. LAWS ANN. ch. 209A, § 3	N/A	Permits a person suffering from abuse to file a complaint in court requesting protection from the abuse, including ordering the defendant to vacate and remain away from the household. An order to vacate must be for a fixed period of time, not to exceed one year, at the expiration of which time the court may extend any such order upon motion of the plaintiff, with notice to the defendant, for such additional time as it deems necessary to protect the plaintiff from abuse.
Mississippi	MISS. CODE ANN. § 93-21-15	N/A	Permits a court in issuing temporary and final domestic abuse protection orders or consent agreements to, among other things, grant possession to the petitioner of the residence or household to the exclusion of the respondent by evicting the respondent or restoring possession to the petitioner, or both. Respondent may be allowed by consent agreement to provide suitable alternate housing to petitioner when respondent has a duty to support petitioner or minor children and is the sole owner or lessee.
Missouri	MO. STAT. § 455.050	N/A	Allows an ex parte order of protection granted to protect the petitioner from abuse or stalking to include restraining the respondent from entering the premises of the dwelling unit of petitioner when the dwelling unit is: jointly owned, leased or rented or jointly occupied by both parties; owned, leased, rented or occupied by petitioner individually; or jointly owned, leased or rented by petitioner and a person other than respondent. However, no spouse will be denied relief by reason of the absence of a property interest in the dwelling unit, or jointly occupied by the petitioner and a person other than the respondent, provided that the respondent has no property interest in the dwelling unit.
Montana	MONT. CODE ANN. § 40-15-201	N/A	Permits a petitioner to seek a temporary order of protection if the petitioner is in reasonable apprehension of bodily injury or is a victim of certain offenses, has a relationship to the respondent, and is in danger of harm if the court does not issue a temporary order of protection immediately. A temporary order of protection may be granted, including a temporary order removing and excluding the respondent from the residence of the petitioner, regardless of ownership of the residence.
Nebraska	NEB. REV. ST. § 42-924	N/A	Permits any victim of domestic abuse to file a petition and affidavit for a protection order. Upon the filing of such a petition and affidavit in support thereof, the court may issue a protection order granting relief including, removing and excluding the respondent from the residence of the petitioner, regardless of the ownership of the residence.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Nevada	NEV. REV. STAT. § 33.030	N/A	Allows a court upon an application for a temporary protective order to exclude the abuser from the victim's place of residence or prohibit the abuser from entering the residence of the victim or minor child.
New Hampshire	N.H. REV. STAT. ANN. § 540:2, VII(d)	N/A	Provides that after a hearing in possessory action, if a court finds there are grounds to evict a tenant or household member accused of domestic violence, sexual assault or stalking, it may issue a judgment in favor of the lessor or owner of the property against the person accused, and allow the tenancy of the remainder of the residents to continue undisturbed.
New Jersey	N.J. STAT. ANN. § 2C:25-29(b)	N/A	Allows a court in proceedings in which complaints for restraining orders have been filed to grant relief necessary to prevent further abuse including: (1) an order granting exclusive possession to the plaintiff of the residence or household regardless of whether the residence or household is jointly or solely owned or leased by the parties and such order will not affect title, or, if victim cannot remain in the residence, an order that the defendant pay the victim's rent at a different residence if the defendant is found to have a duty to support the victim; (2) an order restraining the defendant from entering the residence of the victim or of other family members of the victim; or (3) an order requiring the defendant to continue making rent or mortgage payments on the residence occupied by the victim.
New Jersey	N.J. STAT. ANN. § 2C:25-29(b)	Finamore v. Aronson, 889 A.2d 1114, 1117 (N.J. Super. Ct. App. Div. 2006)	Provides expansive remedies following a finding of domestic violence that are designed for the protection and safety of the victim. Protections include barring the perpetrator of domestic violence from entering the residence, property, school or place of employment.
New Jersey	N.J. STAT. ANN. § 2C:25-29(b)	Cesare v. Cesare, 713 A.2d 390, 393, 395 (N.J. Sup. Ct. 1998)	Holds that the Act is intended to assure victims the maximum protection from abuse the law can provide. If victim proves by preponderance of the evidence that accused committed an act of violence, then the court may grant any relief necessary to prevent further abuse including the exclusion of the defendant from the premises. The court should consider the past history of the parties in the context of allegations.
New Mexico	N.M. STAT. ANN. § 40-13-5 (A)(1)	N/A	Allows a court when entering an order of protection for a victim of domestic violence to grant sole possession of the residence to the victim during the period the order of protection is effective. The court may also order the restrained party to provide temporary suitable alternative housing for the victim and any children to whom the restrained party owes a legal obligation of support.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
North Dakota	N.D. CENT. CODE § 14-07.1-02	N/A	Allows a court upon a showing of actual or imminent domestic violence to enter a protection order which excludes the perpetrator from the victim's dwelling if necessary to the physical or mental well-being of the victim or others. An order under this law does not affect title to real property.
Northern Mariana Islands	1986 N. MAR. I. PUB. L. 5-20 (codified at 8 CMC 1230(a)(2) and (3))	<p>Olupomar v. Mahora, 2001 MP 17 (N. Mar. I. 2001)</p> <p>Norita v. Norita, 4 N. Mar. I 381 (N. Mar. I. 1996)</p>	<p>Provides that a court may grant protection by order or approve a consent agreement to stop abuse of a plaintiff. Available relief includes giving plaintiff possession of the residence or household to the exclusion of the defendant or restoring possession to the plaintiff when the residence or household is jointly owned or leased. When defendant has a duty to support plaintiff, minor children or persons customarily living in the residence or household, and defendant is the sole owner or lessee, court may grant possession to the plaintiff by evicting the defendant or by consent agreement may allow defendant to provide suitable alternate housing. Duration of any such court order or consent agreement is limited to one year.</p> <p>Olupomar: Reverses the lower court's grant of a restraining order on the grounds that the relationship between the parties was not subject to the protections of the Family Protection Act. The opinion focuses on whether the lower court erred in issuing the restraining order when there was no evidence that the parties had lived together or were family members as defined in the Family Protection Act.</p> <p>Norita: Affirms a restraining order where the appellants appealed an order restraining them from contacting the appellees or from entering certain property on which appellees lived. Appellants claimed to own half of the property in question. The opinion focuses on provisions of the Family Protection Act, such as whether the temporary restraining order was overlong and therefore invalid, and procedural errors committed by appellants' counsel, e.g., failing to provide an adequate record on appeal or failing to object to the trial judge's taking judicial notice of related proceedings, which had the effect of precluding the Commonwealth Supreme Court from reviewing appellants' arguments. The court noted that the order did not affect appellants' property interest and that the trial judge explicitly reserved judgment on the underlying property dispute.</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Ohio	OHIO REV. CODE ANN. § 3113.31(E)(1)(b), (c)	N/A	Allows a court to grant protective order excluding the restrained party from the petitioner's residence when residence is jointly owned or leased by the respondent, or when respondent is the sole owner or lessee of the residence. In the case of a consent agreement, a court can allow the respondent to provide suitable, alternative housing.
South Carolina	S.C. CODE ANN. § 20-4-60	N/A	Allows a court to grant temporary possession to the petitioner, to the exclusion of the respondent, after a hearing for any order of protection if the court has issued such an order, where the respondent has a duty to support the petitioner or minor children living in the household, and the household's residence is jointly leased or owned by the parties, or the respondent is the sole owner or lessee. The court may prohibit the transfer, destruction, encumbrance or other disposal of real or personal property owned or leased by the parties in which one party claims an equitable interest, except in the ordinary course of business. No protective order affects title to real property.
South Dakota	S.D. CODIFIED LAWS §§ 25-10-5, 25-10-6	N/A	Allows a court upon notice and a hearing, if the court finds by a preponderance of the evidence that domestic abuse has taken place, to provide relief, including the exclusion of the abusing party from the dwelling which the parties share or from the residence of the petitioner. When an affidavit filed with an application for an ex parte temporary protection order alleges that immediate and irreparable injury, loss, or damage will result before an alleged abuser, the court may grant an ex parte temporary protection order pending a full hearing and granting relief as the court deems proper, including an order excluding any family or household member from the dwelling or the residence of the petitioner.
Texas	TEX. FAM. CODE ANN. §§ 83.006, 85.021	N/A	Permits a victim of family violence to apply for a protective order or temporary ex parte order granting the victim exclusive possession of a residence and directing one or more parties to vacate the residence, in certain circumstances.
U.S. Virgin Islands	V.I. CODE ANN. tit. 16 § 97	N/A	Allows a court in a domestic violence proceeding to grant possession of the residence to plaintiff and exclude the defendant where the residence is jointly owned or leased by the parties. The order does not affect interest in the residence held by either party. Where defendant has a duty to support plaintiff, minor children or persons customarily living in the residence or household and the defendant is the sole owner or lessee, the court may grant possession to plaintiff by evicting the defendant or by consent agreement allowing the defendant to provide suitable alternative housing. Such orders may not exceed 2 years.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
U.S. Virgin Islands	V.I. CODE ANN. tit. 16 § 99	N/A	Allows a court to condition release of defendant in domestic violence case on restraining defendant from entering victim's residence.
U.S. Virgin Islands	V.I. CODE ANN. Tit. 16 § 92	N/A	Requires police officer to give a notice of victim rights that states that you may seek a court order where "[t]he court may order the person who abused you to move out of the residence where you live, to pay your rent there or elsewhere..."
Utah	UTAH CODE ANN. § 57-22-5.1	N/A	Requires an owner who installs a new lock under this section to refuse to provide a copy of the key that opens the new lock to the perpetrator of domestic violence, stalking, sexual offense, burglary or dating violence, notwithstanding any rental agreement.
Virginia	VA. CODE ANN. § 16.1-279.1	N/A	Allows courts in cases of family abuse to issue a protective order, for a specified period of time up to a maximum of two years, to protect the health and safety of a victim of family abuse and his or her family or household members. A protective order may include: (1) granting the petitioner possession of the residence occupied by the parties to the exclusion of the perpetrator; however, no grant of possession will affect title; (2) enjoining the perpetrator from terminating any necessary utility service to a residence or ordering the perpetrator to restore such utility services and/or (3) requiring that the perpetrator provide suitable alternative housing for the petitioner and, if appropriate, any other family or household member and requiring the perpetrator to pay deposits to connect utility services in such alternative housing.
Washington	WASH. REV. CODE ANN. § 26.50.060	N/A	Allows a court upon notice and after a hearing to exclude the abuser from the dwelling that the parties share or from the residence of the victim.
Wisconsin	WIS. STAT. ANN. § 968.075(5)(a)	N/A	During the 72 hours immediately following an arrest for a domestic abuse incident, the arrested person must avoid the residence of the alleged victim of the incident.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Wyoming	WYO. STAT. ANN. §§ 35-21-102(a)(iv), 105(a), (d)	N/A	<p>Gives courts discretion to (1) grant sole possession of the residence or household to the victim of domestic abuse or order the abuser to provide temporary suitable alternative housing for the victim; and (2) restrain the abuser from transferring, concealing, encumbering, or otherwise disposing of the victim's property or the parties' joint property.</p> <p>For the Act to apply, the domestic abuser must be a "household member" of the petitioner, which includes persons married to each other; persons living with each other as if married; persons formerly married to each other; persons formerly living with each other as if married; parents and their adult children; other adults sharing common living quarters; persons who are the parents of a child but who are not living with each other; and persons who are in, or have been in, a dating relationship.</p> <p>No order affects title to property nor allows the victim to transfer, conceal, encumber or otherwise dispose of abuser's property or the parties' joint property.</p>

RIGHTS OF BATTERED TENANT ON APPEAL

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Pennsylvania	68 PA. STAT. ANN. § 250.513(b)	N/A	Permits either party to appeal to the court of common pleas within 30 days after a lower court renders a judgment arising out of a residential lease involving a victim of domestic violence, and the appeal by the tenant will operate as a supersedeas only if the tenant pays in cash any rent which becomes due during the court of common pleas proceedings within 10 days after the date each payment is due into an escrow account with the prothonotary.

CONFIDENTIALITY OF HOUSING RECORDS

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
California	Cal. Gov't Code § 6206	N/A	Permits victims of domestic violence to apply for a designated address with the Secretary of State upon a consultation in person with a domestic violence counselor.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Colorado	COLO. REV. STAT. ANN. § 24-30-2104	N/A	Creates an address confidentiality program to protect the confidentiality of the actual address of a relocated victim of domestic violence, a sexual offense, or stalking and to prevent the victim's assailants or potential assailants from finding the victim through public records. Under the program, the Secretary of State must (1) designate a substitute address for a program participant that must be used by state and local government agencies; and (2) receive mail sent to a program participant at a substitute address and forward the mail to the participant.
Connecticut	CONN. GEN. STAT. § 54-240 et seq.	N/A	Establishes an address confidentiality program in the office of the Secretary of the State that provides a substitute mailing address for any person who has been a victim of family violence, injury or risk of injury to a child, sexual assault or stalking, and who wishes to keep such person's residential address confidential because of safety concerns.
Florida	FLA. STAT. ANN. §§741.3, 784.046	N/A	Providing exemptions from public records requirements for personal identifying and location information of victims of domestic violence, repeat violence, sexual violence, and dating violence held by the clerks and law enforcement agencies in conjunction with the automated process developed by the association by which a petitioner may request notification of service of an injunction for protection against domestic violence, repeat violence, sexual violence, or dating violence and other court actions related to the injunction for protection; providing that the exemption is conditional upon the petitioner's written request; providing for access by state or federal agencies in furtherance of the agencies' statutory duties; requiring that the clerk inform the petitioner of the right to request that the identifying and location information be held exempt from public records requirements, etc.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Florida	FLA. STAT. ANN. §§ 741.403 – 741.404	N/A	<p>Permits a domestic violence victim to apply to the Attorney General to have an address designated by the Attorney General serve as the person's address (rather than the person's actual address). The application must include, among other things, a sworn statement by the applicant that the applicant has good reason to believe that he or she is a victim of domestic violence and fears for his or her safety or his or her children's safety and a statement that the address or addresses that the applicant requests must not be disclosed for the reason that disclosure will increase the risk of domestic violence. A fee may not be charged for the application. Applicants who file a properly completed application will be certified as program participants for 4 years following the date of filing unless the certification is withdrawn or invalidated before that date.</p> <p>A participant will lose certification as a program participant if he or she obtains a name change, and the participant's certification may be cancelled in the event he or she changes her residential address without prior notice to the Attorney General.</p>
Florida	FLA. STAT. ANN. § 741.465	N/A	<p>Exempts the addresses, corresponding telephone numbers and social security number of program participants in the Address Confidentiality Program for Victims of Domestic Violence held by the Office of the Attorney General or contained in voter registration and voting records held by the supervisor of elections and the Department of State from the general requirement that records of public agencies be publicly available, subject to certain exceptions for court orders and law enforcement activities.</p>
Florida	FLA. STAT. ANN. § 119.071(2)(j)	N/A	<p>Exempts any information which reveals the home or employment telephone number, home or employment address, or personal assets of a person who has been the victim of domestic violence or other enumerated crimes from the general requirement that records of public agencies be publicly available (subject to certain exceptions for authorized state and federal agencies), upon written request of the victim, which must include official verification that an applicable crime has occurred. Such information will cease to be exempt 5 years after the receipt of the written request.</p>
Guam	9 GUAM CODE ANN. § 30.60	N/A	<p>Makes disclosures of the location of a family violence shelter with the intent to harass or harm another person or interfere with the operation of the shelter a misdemeanor.</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Idaho	IDAHO CODE ANN. §§ 19-5701 – 5708	N/A	Creates an Address Confidentiality Program through which victims of domestic violence may register with the Secretary of State for a substitute mailing address for official governmental purposes. The purpose of the program is to enable state and local agencies to respond to requests for public records without disclosing the location of a victim of domestic violence, sexual assault or stalking, thus prohibiting perpetrators from discovering the victim's actual residential address using public records.
Idaho	IDAHO CODE ANN. § 9-340C (25), (27)	N/A	Allows a copy of one's voter registration card, which is maintained in the statewide voter registration database, to be made available as a public record. However, a victim of domestic violence may have his/her physical residence address redacted from the copy that is going to be disclosed. Prohibits the disclosure of otherwise public records in an address confidentiality program participant's file (unless requested by a law enforcement agency or directed by court order).
Illinois	765 ILL. COMP. STAT. 750/27	N/A	Prohibits a landlord from disclosing to a prospective landlord that the tenant exercised any rights under the Safe Homes Act or from disclosing any information provided by the tenant in exercising those rights.
Indiana	IND. CODE ANN. § 5-26.5-2-2	N/A	Permits victims of domestic violence, sexual assault, or stalking to request that their address not be disclosed if there is a fear for the applicant's safety or the safety of a minor or an incapacitated individual on whose behalf the application is made. The applicant must provide a sworn statement, a copy of a valid protective order issued on behalf of the applicant or the minor or incapacitated individual on whose behalf the application is made, a designation of the office of the attorney general as an agent of the applicant for the purpose of service of process and receipt of mail, and the mailing address and telephone number.
Iowa	IOWA CODE §236.10	N/A	Permits any person seeking relief from domestic abuse to use alternative mailing addresses for the purposes of filing a petition under Iowa's domestic abuse statute or obtaining any utility or other service. The file in a domestic abuse case must be sealed to protect the privacy interest or safety of any person. The court may order that address and location information be redacted from public records of court orders and support payments.
Kansas	KAN. STAT. ANN. § 75-453	N/A	Permits victims of domestic violence to apply to the Secretary of State to have an address designated by the Secretary of State as a substitute mailing address.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Kentucky	KY. REV. STAT. ANN. §§ 403.770(1), 209A.070	N/A	<p>Requires the court, when issuing an emergency protective order, when authenticating a foreign protective order, or when causing the issuance of a summons, to order the omission or deletion of the petitioner's address, and the address of any minor children from any documents to be made available to the public, or to the person or persons who engaged in the alleged act or acts of domestic violence and abuse.</p> <p>All records, requests for services, and reports that contain information that identifies a current or former client of a domestic violence program are confidential and must not be disclosed by any person except as provided by law. The cabinet will have access to client records, requests for services, and reports relating to any domestic violence program for the limited purpose of monitoring the program.</p>
Maine	ME. REV. STAT. tit. 5, § 90-B	N/A	<p>Protects victims of domestic violence, stalking or sexual assault by allowing the victim to apply to use a designated address. The program is administered by the Secretary of State. If a victim is allowed to participate in the program, state and local agencies and the courts must accept the designated address as the person's address when creating a new public record unless the secretary makes certain findings. The law allows for certain exceptions and for cancellation of a person's participation. Unless the participant's certification is withdrawn or invalidated, the participant is certified for 4 years. The secretary will notify a participant when their certification is to lapse and allow them to reapply at least 4 weeks before the certification expires.</p>
Maine	ME. REV. STAT. tit. 30-A, § 4706	N/A	<p>Provides that records containing the address of a shelter or other living accommodations for victims of domestic violence are deemed confidential and restricts knowing disclosure of such information by members, officers, employees or agents of any housing authority.</p>
Maryland	Md. Code Ann. Fam. Law §§ 4-520 – 4-522	N/A	<p>Requires the Secretary of State to establish and administer an address confidentiality program for victims of domestic violence. An application must contain a statement that the applicant is a victim of domestic violence, the applicant fears for the applicant's or child's safety and disclosure of the applicant's address would endanger the applicant's or child's safety, and evidence of domestic violence.</p>

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Massachusetts	950 CODE MASS. REG. 130.01 et seq.	N/A	Establishes address confidentiality program for victims of domestic violence, sexual assault or stalking. To be certified as a participant in the address confidentiality program, an applicant must be a Massachusetts resident who is a victim of domestic violence, sexual assault or stalking. Allows for a program participant to request, at the time of creation of a new record, that an agency use the substitute address designated by the Secretary of the Commonwealth as his or her residential or mailing address. The applicant must attest that disclosure of his or her address will threaten the safety of the applicant or the applicant's children or the minor or the incapacitated person on whose behalf the application is made. An applicant must specify a Massachusetts state residential address, work or school addresses in Massachusetts for which confidentiality is requested. A program participant must request, at the time of creation of a new record, that an agency use the substitute address designated by the Secretary of the Commonwealth as her or his residential or mailing address. A program participant must show his or her authorization card to the agency official creating a new record and request address confidentiality through use of the substitute address in lieu of her or his actual location. The substitute address will appear on the program participant's authorization card.
Mississippi	MISS. CODE ANN. § 93-21-109	N/A	Exempts records maintained by domestic violence shelters from public disclosure under the Mississippi Public Records Act of 1983.
Mississippi	MISS. CODE ANN. §§ 99-47-1, 93-21-9	N/A	Establishes an address confidentiality program under which, inter alia, a victim of domestic violence may apply to the Office of the Attorney General to have an address designated by the Office serve as a substitute address for the applicant. A petitioner for a domestic abuse protection order may omit his or her address from petition for protective order if the petition states that disclosure of the address would risk abuse of the petitioner or any member of the petitioner's family or household, or would reveal the confidential address of a domestic violence shelter.
Missouri	MO. STAT. § 589.663	N/A	The Address Confidentiality Program was created to protect victims of domestic violence, rape, sexual assault, or stalking by authorizing the use of designated addresses for such victims and their minor children. An adult person, parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person may apply to the secretary to have a designated address assigned by the secretary to serve as the person's address or the address of the minor or incapacitated person.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Montana	MONT. CODE ANN. §§ 40-15-115 – 40-15-121	N/A	Permits a victim who is a resident of Montana to apply to the department of justice to have a substitute address designated by the department of justice to serve as the official address of the applicant.
Nebraska	NEB. REV. STAT. §§ 42-1202 – 42-1210	N/A	<p>Establishes the Address Confidentiality Act in order to enable state and local agencies to respond to public records requests without disclosing the location of victims of abuse, sexual assault or stalking and to allow the Secretary of State to provide address confidentiality for such persons by allowing them to use an address designated by the Secretary of State as a substitute mailing address.</p> <p>Under the Address Confidentiality Act, the Secretary of State must also designate state and local agencies and nonprofit organizations that provide counseling and shelter services to victims of abuse, sexual assault, or stalking to assist persons applying to be program participants.</p>
Nevada	NEV. REV. STAT. §§ 217.462 – 217.468	N/A	Permits an adult person to have a fictitious address designated by the Secretary of State serve as the address of the adult, child or incompetent person by submitting an application to the Secretary of State that includes specific evidence, such as a copy of an applicable record of conviction, a temporary restraining order or other protective order, showing that the person has been a victim of domestic violence, sexual assault or stalking. The Secretary of State may not make any records containing the name, confidential address or fictitious address of a participant available for inspection or copying unless the address is requested by an enforcement agency or directed to do so by lawful order of a court of competent jurisdiction.
New Hampshire	N.H. REV. STAT. ANN. §§ 7:41 – 7:43	N/A	Provides that a victim of domestic violence, stalking or sexual assault can apply to the attorney general to have an address designated by the attorney general to serve as the person's address. This is to preserve the confidentiality of the victim's new address when there has been a request for public records.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
New Jersey	N.J. STAT. ANN. §§ 2C:25-33, 30:14-13, 46:8-9.11, 47:4-4	Sacharow v. Sacharow, 826 A.2d 710, 712, 716 (N.J. 2003)	<p>Requires Administrative Office of the courts to maintain a uniform record of all applications for relief from domestic violence including relationship of the parties and relief sought, etc. All records maintained must be confidential and must not be made available to any individual or institution except as otherwise provided by law. Information which may reveal the identity or location of a person seeking shelter services cannot be disclosed without consent of person seeking shelter services. Landlord cannot disclose information documenting domestic violence. A person may apply to have an address designated by the secretary as the applicant's address. Applicant will be approved if applicant is a victim of domestic violence.</p> <p>Sacharow: Holds that Address Confidentiality Program Act was passed to protect abuse victims by shielding their locations from their abusers, without requiring a restraining order. However, in the case of child custody, confidentiality of address should be examined on its merits.</p>
New Mexico	N.M. STAT. ANN. § 40-13-11	N/A	Allows a victim of domestic abuse, or the victim's representative, to apply to the Secretary of State for the use of the Secretary of State as a substitute address. The Secretary of State must maintain a confidential record of applications for a substitute address and forward any mail received on behalf of a victim of domestic abuse to the new mailing address provided on the application.
New York	N.Y. EXEC. LAW §108	N/A	Establishes an address confidentiality program in the office of the Secretary of State to protect victims of domestic violence by authorizing the use of designated addresses for such individuals and their children. Upon receipt of a completed application, the Secretary of State must certify the applicant for a period of four years, during which time the Secretary of State will serve as the applicant's agent for receipt of mail and service of process.
New York	N.Y. ELEC. § 5-508	N/A	Permits the court upon application made to the supreme court by a victim of domestic violence to issue an order requiring that any voting registration record for such person must be kept separate from other registration records and not be made available for inspection or copying by the public or any other person except election officials acting within the scope of their official duties.
North Carolina	N.C. GEN. STAT. § 15C-4	N/A	Requires anyone seeking to participate in the Address Confidentiality Program to file an application with the Attorney General to have an address designated by the Attorney General as a substitute address. Applicants will, if certified, remain so for 4 years following the date of filing.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
North Dakota	N.D. CENT. CODE §§ 14-07.1-18; 47-16-17.1	N/A	Requires all agents, employees, and volunteers participating in a domestic violence program to maintain the confidentiality of (1) the address, telephone number, and other identifying information of a place of emergency safe housing; and (2) the name, address, telephone number, personally identifying information, and case file or history of the client receiving services from the domestic violence program. Prohibits a landlord from disclosing information provided to the landlord by a tenant documenting domestic violence.
Northern Mariana Islands	1997 N. MAR. I. PUB. L. 10-81 SEC. 13	N/A	Provides that any document that reveals the identity, home or employment address or telephone number, or personal assets of the victim of a crime and identifies that person as the victim of a crime, which document is received by any agency that regularly receives information from or about crime victims, is not subject to public records disclosure.
Oklahoma	OKLA. STAT. ANN. tit. 22, § 60.14	N/A	Establishes an Address Confidentiality Program that provides (1) domestic violence victims, who have moved to a new location unknown to their abuser, with a substitute address for use when interacting with state and local agencies and (2) cost-free first-class mail forwarding service for victims. The address can be used for enrolling children in public schools, driver's license, social services, child support, court documents, protective orders and other purposes.
Oregon	OR. REV. STAT. § 90.453	N/A	Prohibits a landlord from disclosing information provided by a tenant under § 90.453 unless such disclosure is consented to in writing by tenant, required for use in an eviction proceeding, made to a qualified third party or required by law.
Oregon	OR. REV. STAT. ANN. § 192.822	N/A	Establishes an Address Confidentiality Program to protect the confidentiality of the actual address of a victim of domestic violence, a sexual offense, stalking or human trafficking from being found in public records by potential assailants. The Attorney General is only required to forward first-class, certified or registered mail to the program participant.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Pennsylvania	23 PA. CONS. STAT. Ann. § 6112	N/A	Provides that during the course of a proceeding under the Protection From Abuse Act for an order of protection from abuse, if the court concludes that the defendant poses a threat of continued danger to the plaintiff and the plaintiff requests that his or her address, telephone number and location not be disclosed, the court must order that law enforcement agencies, human service agencies and school districts (both in which a plaintiff's child in custody of the plaintiff is or has been enrolled) must not disclose the presence of the plaintiff or the child in the jurisdiction or district or furnish any address, telephone number or any other demographic information about the plaintiff and child except by further order of the court.
Pennsylvania	23 PA. CONS. STAT. Ann. §§ 6703, 6705	N/A	Provides that the Office of Victim Advocate must establish an Address Confidentiality Program under which victims of domestic and sexual violence, stalking, and members of their household may apply to have a confidential substitute address at which a participant may receive all first class, registered and certified mail at no expense to the participant, and other kinds of mail at the participant's expense. All records relating to applicants and participants in the program are to be kept confidential and are not subject to the state's Right-to-Know Law, though they may be released under certain circumstances. Certification is good for 3 years unless earlier cancelled or withdrawn, and may be extended.
Puerto Rico	P.R. LAWS ANN. tit. 8, § 652a	N/A	Requires the Criminal Justice Information System to create a substitute address register for victims of domestic violence to enable government agencies to respond to requests for public records without disclosing the location or address of domestic violence victims. The substitute address must be used as the home, work or school address of the participant and permits the victim to receive mail.
Rhode Island	R.I. Gen. Laws § 17-28-3	N/A	Permits the Secretary of State to designate an alternate address upon application from victims of domestic violence.
Texas	TEX. GOV'T CODE ANN. § 552.138	N/A	Creates an exception within the Texas Public Information Act for client information maintained by a family violence shelter center or sexual assault program.
Texas	TEX. CODE CRIM. PROC. ANN., ARTS. 56.82, 56.83	N/A	Establishes an address confidentiality program under which, inter alia, a victim of domestic violence may apply to the Office of the Attorney General to have an address designated by the Office serve as a substitute address for the applicant.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Vermont	15 VT. STAT. ANN. § 1152	N/A	Permits an adult person, a parent or legal guardian acting on behalf of a minor, or a legal guardian acting on behalf of an incapacitated person, to apply to the Secretary of State to have an address designated by the secretary serve as the person's address or the address of the minor or incapacitated person. The application must include, among other things, that the applicant, or the minor or incapacitated person on whose behalf the application is made, is a victim of domestic violence, sexual assault, or stalking; and that the applicant fears for his or her safety or his or her children's safety, or the safety of the minor or incapacitated person on whose behalf the application is made.
Virginia	Va. Code Ann. § 2.2-515.2	N/A	Requires the Statewide Facilitator for Victims of Domestic Violence to establish the Address Confidentiality Program to protect victims of domestic violence by authorizing an individual to use a confidential, designated address in place of his or her physical address. The actual address of a participant will be available only to the Attorney General's office and law enforcement officers and pursuant to a court order. Residents of temporary housing for 30 days or less are not eligible until a permanent address is found.
Washington	N/A	Indigo Real Estate Services v. Rousey, 151 Wash. App. 941 (Wash. Ct. App. 2009)	Holds that the tenant's privacy interest in protection against unjustified disqualification from future housing opportunities must be weighed against the public's right to access court records.
Washington	WASH. REV. CODE ANN. § 40.24.030	N/A	Permits an adult person to have an address designated by the Secretary of State serve as the address of the adult, minor or incompetent person by submitting an application to the Secretary of State that contains a signed sworn statement that the person has good reason to believe that the person is a victim of domestic violence, sexual assault, trafficking or stalking, and that there is a fear for safety.
Wisconsin	WIS. STAT. ANN. §§ 6.47(1)-(2), 6.79(6), 995.67(2)	N/A	Survivors of domestic abuse, sexual assault or stalking have the option to be listed confidentially on poll. An individual is eligible if he or she has been granted a protective order that is in effect, has an affidavit which is signed by a sheriff, chief of police, or district attorney, which verifies that the individual was a victim and continues to be threatened, the individual resides in a shelter, or the individual submits a statement signed by an authorized representative of a domestic abuse or sexual assault victim service provider. No employee or agent of a domestic abuse services organization may intentionally disclose to any person the location of a recipient of service or any minor child of the service recipient without the survivor's informed written consent.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Wyoming	WYO. STAT. ANN. § 35-21-105(e)	N/A	Requires a court, if requested by abuser, to order that the address of the victim and any children of the victim and abuser be kept confidential.

EVICITION REPORTING BY PUBLIC HOUSING AUTHORITY

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
California	Cal. Health & Safety Code § 34328.1	N/A	Requires housing authorities to file reports of terminations of tenancies (based in whole or in part on activity related to domestic violence) by victims of domestic violence in areas covered by authority and steps taken to address situation.
Nevada	NEV. REV. STAT. § 319.143	N/A	Requires the Housing Division of the Department of Business and Industry to create and maintain a statewide low-income housing database that provides the number of terminations of victims of domestic violence in the State of Nevada from the §8 housing assistance program.
Puerto Rico	P.R. Laws Ann. tit. 17, § 1015a(e)	N/A	Requires the housing authority official or agent to prepare a report that describes, among other things, "the existence of a victim of domestic violation in the family nucleus and the consequences of the cancellation of the housing contract on the family nucleus" prior to initiating any procedures of eviction against any lessee for noncompliance with a lease agreement granted pursuant to § 9 of the Housing Opportunity Extension Act of 1996.

HOUSING PREFERENCES

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Minnesota	MINN. STAT. § 244.052 Subd. 4a(b)	N/A	Prohibits a property owner or property manager that has an agreement with a governmental agency to provide shelter to domestic abuse victims from knowingly renting rooms to level III sex offenders at the same time as victims of domestic abuse. If the owner discovers or is informed that a tenant is a level III offender after the signing of the lease, the owner may evict the offender.
New York	N.Y. Unconsol. Law § 8625(a)(11) (McKinney)	N/A	Permits a tenant who is a victim of domestic violence to maintain the tenant's rental unit in government-regulated housing as the tenant's primary residence if the tenant has left the unit because of such violence and asserts an intent to return to the housing accommodation.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Oklahoma	OKLA. ADMIN. CODE §§ 330:50-3-7, 330:50-15-15	N/A	When a family on the §8 housing wait-list splits into two otherwise eligible families due to divorce or legal separation, the Oklahoma Housing Finance Authority must, in determining who should be provided continued placement on the waitlist, take into consideration the role of domestic violence in the split and recommendations of social service agencies or qualified professionals. When the new split families cannot agree as to which new family unit should continue to receive the §8 housing assistance certificates or vouchers, and there is no determination by a court, the Oklahoma Housing Finance Authority must consider the role of domestic violence in the split and recommendations of social service agencies or qualified professionals.
Wisconsin	Wis. STAT. ANN. § 46.28(1)-(2)(f)	N/A	Allows the department of health services to approve any residential facility for financing by the Wisconsin Housing & Economic Development Authority if it determines the residential facility will help meet the housing needs of a victim of domestic abuse based on factors that include geographic location of facility, population served by facility or services offered by facility. The department may authorize the authority to issue revenue bonds to finance any such facility.

EMPLOYEE LEAVE FOR VICTIMS TO SEEK HOUSING

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Florida	FLA. STAT. ANN. § 741.313	N/A	Requires an employer who employs more than 50 employees to permit an employee who has been employed by the employer for 3 or more months to request and take up to 3 working days of leave from work in any 12-month period if the employee or a family or household member of an employee is the victim of domestic violence or sexual violence. This leave may be with or without pay. This requirement will apply if the employee uses leave from work to seek an injunction for protection, obtain medical care or mental health counseling, obtain services from a victim services organization, make the employee's home secure from the perpetrator or to seek new housing to escape the perpetrator, or to seek legal assistance or attend or prepare for court proceedings. An employee must first exhaust all annual or vacation leave, personal leave and sick leave that is available to the employee, unless the employer waives this requirement.
Washington	WASH. REV. CODE ANN. § 49.76.030	N/A	Permits an employee to take leave from work to temporarily or permanently relocate to increase the safety of the employee or employee's family members from future domestic violence.

OTHER			
STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Connecticut	CONN. GEN. STAT. § 46b-15(b)	N/A	Permits any family or household member who has been subjected to a continuous threat of present physical pain or physical injury by another family or household member or person in, or has recently been in, a dating relationship who has been subjected to a continuous threat of present physical pain or physical injury by the other person in such relationship to make an application to the Superior Court for relief. The court, in its discretion, may make such orders as it deems appropriate for the protection of the applicant and such dependent children or other persons as the court sees fit. Such relief may include enjoining the respondent from entering the family dwelling or the dwelling of the applicant.
District of Columbia	D.C. CODE § 2-1402.21(f)(3)(A)	N/A	Prohibits landlord from refusing to make a reasonable accommodation to restore or improve security and safety measures, beyond the landlord's ordinary duty of care, to the dwelling of a survivor of intra-family violence when an accommodation is necessary to ensure the tenant's security and safety. Landlord may charge the tenant for such accommodation.
Florida	Fla. Stat. Ann. § 414.157	N/A	Provides for a diversion program for victims of domestic violence that provides services and one-time payments to assist victims and their children in making the transition to independence. One-time payments must not exceed \$1,000. For a family to be eligible for the program, a determination must be made that (1) the applicant family includes a pregnant woman or a parent with one or more minor children or a caretaker relative with one or more minor children and (2) the services or one-time payment provided are not considered assistance under federal law or guidelines. Any family meeting these criteria that is determined by the domestic violence program to be in need of services or a one-time payment due to domestic violence will be considered a needy family and is eligible for services through a certified domestic violence shelter, regardless of whether the family would be eligible for other specified types of public assistance.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Florida	Fla. Stat. Ann. § 409.9531	N/A	Requires the Department of Children and Family Services to establish a structure by which it will, among other things, (1) provide services to immigrant survivors of human trafficking, domestic violence and other serious crimes, during the interim period between the time the survivor applies for a visa and receives such visa from the United States Department of Homeland Security or receives certification from the United States Department of Health and Human Services, (2) ensure such survivors are eligible to receive specified state and local benefits, services and assistance equivalent to those provided to refugees and (3) provide such survivors with medical care, mental health care, and basic assistance in order to help them secure housing, food, and supportive services. A sworn statement by a survivor is sufficient evidence for the purposes of determining eligibility if it is supported by at least one item of additional evidence, including physical evidence, police and court records and news articles.
Nevada	NEV. ADMIN. CODE § 686A.220	N/A	Prohibits an insurer from (1) denying or refusing to accept an application for property or casualty insurance, (2) refusing to issue or renew a property or casualty insurance policy, (3) cancelling, restricting or otherwise terminating a property or casualty insurance policy or (4) charging a different rate for property or casualty insurance coverage solely because the person applying for or covered by the property insurance policy is, has been or may be a victim of domestic violence.
Nevada	NEV. REV. STAT. § 422A.600	N/A	Permits the Division of Welfare and Supportive Services to waive certain welfare benefit requirements where the head of a household is a victim of domestic violence and requiring the head of the household to comply with the requirements may endanger or threaten their physical safety.
New Jersey	N.J. STAT. ANN. §§ 30:14-4, 30:14-15	N/A	Requires the Advisory Council on Domestic Violence to monitor effectiveness of laws concerning domestic violence and make recommendations for improvement, review proposed legislation and make recommendations, study needs, priorities, programs and policies relating to domestic violence throughout the State and ensure all service providers and citizens are aware of the needs of and services available to victims of domestic violence. Establishes the Domestic Violence Victims' Fund, which is a dedicated fund within General Fund administered by Division of Youth and Family Services in the Department of Children and Families. All monies must be used for direct services to victims of domestic violence, which includes shelter services.

STATE	STATUTORY CITATION	CASE CITATIONS	SUMMARY (STATUTES / KEY CASES)
Ohio	OHIO REV. CODE ANN. § 3113.31(B)	N/A	Prohibits a petitioner's right to obtain a protective order from being affected if the petitioner leaves the residence to avoid further domestic violence.
Virginia	VA. CODE ANN. § 55-248.18(D)	N/A	Permits a tenant to install new burglary prevention devices approved by the landlord, including a chain latch, that the tenant may believe necessary to ensure his or her safety, provided that (1) installation of such devices does not permanently damage the unit, (2) a duplicate of keys/operation instructions are given to the landlord and (3) upon termination of the lease, the tenant will be responsible for all reasonable costs incurred for the removal of such devices and any related repairs.

PROPOSED/PENDING STATE LEGISLATION: BY STATE

STATE	TYPE OF LAW	CITATION
Arizona	Other	S.B. 1385; S.B. 1227 (2011)
District of Columbia	Housing preferences	B. 19-0076, Council Period 19 (2011)
Hawaii	Relocation assistance and right to emergency shelter	H.B. 732 (2011)
Indiana	Early lease termination by battered tenant	S.B. 452, 117 th Gen. Assembly 1 st Reg. Sess. (2011)
Kentucky	Early lease termination by battered tenant	H.B. 142 (2011)
Nevada	Other	2011 NV B.D.R. 863
New York	Housing anti-discrimination	A3448 (2011)
South Carolina	Housing anti-discrimination	S.B. 61, 119 th Leg. Sess. (2011)
Wyoming	Eviction defense Lock changes Other	Wyoming Safe Homes Act (Senate File # SF0030, 2011)

PROPOSED/PENDING STATE LEGISLATION: BY TYPE

HOUSING ANTI-DISCRIMINATION

STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
New York	A3448 (2011)	<p>Amends Section 292 of New York's executive law to protect victims of domestic violence from housing discrimination. Provides that it will be an unlawful discriminatory practice to (1) refuse to sell, rent or lease or otherwise deny to any person housing accommodations because of her or his status as a victim of domestic violence; (2) discriminate against any person in the terms, conditions or privileges of any publicly-assisted housing accommodations or in the furnishing of facilities or services in connection therewith because of her or his status as a victim of domestic violence; (3) make any inquiry or record concerning the status as a victim of domestic violence of a person seeking to rent or lease any publicly-assisted housing accommodation; or (4) print or circulate any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of any housing which expresses any limitation, specification or discrimination as to status as a victim of domestic violence. It will also be unlawful for a real estate broker to discriminate against any person in the conditions or privileges of the sale or rental or property because of such person's status as a victim of domestic violence.</p> <p>Further, it will be unlawful for any owner, lessee, proprietor, manager, superintendent agent of employee of any place of public accommodation to withhold from or deny to a person any of the facilities or privileges of such accommodation because of such person's status as a victim of domestic violence.</p>
South Carolina	S.B. 61, 119th Leg. Sess. (2011)	<p>Prohibits a landlord from applying for an ejection as provided in this section based substantially on the status of the tenant, a member of the tenant's household, or a guest as a victim of domestic violence, sexual assault, or stalking. Evidence provided to the landlord or his agent or to the magistrate of domestic violence, sexual assault, or stalking may include any of the following: (1) law enforcement, court, or federal agency records or files; (2) documentation from a domestic violence or sexual assault program; or (3) documentation from a religious, medical, or other professional.</p>

EARLY LEASE TERMINATION BY BATTERED TENANT

STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Indiana	S.B. 452, 117th Gen. Assembly 1st Reg. Sess. (2011)	<p>Allows victims of burglary, residential entry, or criminal trespass to terminate the victim's rental agreement if the crime was committed at the dwelling and the victim provides a copy of the police report along with the written notice of termination.</p>

STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Kentucky	H.B. 142 (2011)	Introduces a new section of KRS Chapter 383 to provide that the victim of an assault, domestic violence, or stalking may terminate their lease or contract on their dwelling upon 30 days' written notice to the landlord accompanied with a copy of a judicial no contact order issued against the perpetrator of the offense.
EVICITION DEFENSE		
STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Wyoming	Wyoming Safe Homes Act (Senate File # SF0030, 2011)	Authorizes a survivor of domestic or sexual violence to terminate a lease providing an affirmative defense, requiring a landlord and authorizing a tenant to change door locks if specified conditions are met.
LOCK CHANGES		
STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Wyoming	Wyoming Safe Homes Act (Senate File # SF0030, 2011)	Allows a tenant under a signed or oral lease to ask for change of locks if he believes that he, another tenant or a member of his or the other tenant's household is under credible imminent threat of domestic abuse or sexual violence. If the threat is from a non-lessee, the request should be accompanied by at least one form of the type of evidence specified in the statute, e.g., medical, court of police report; statement from employee of a victim services or rape crisis organization. If the threat is from a lessee under the written lease, the request should be accompanied by an order of protection from the court, granting the tenant, who is requesting the lock change, the exclusive possession of the premises.
RELOCATION ASSISTANCE AND RIGHT TO EMERGENCY SHELTER		
STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Hawaii	H.B. 732	Requires the Hawaii department of human services to provide families with homeless assistance when homelessness is a direct result of domestic violence.
District of Columbia	B. 19-0076, Council Period 19 (D.C. 2011)	Amends the Inclusionary Zoning Implementation Act of 2006 (D.C. Code § 6-1041 et seq.) to provide access to inclusionary housing to, among others, victims of domestic violence who meet income requirements.

CONFIDENTIALITY OF HOUSING RECORDS		
STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Arizona	S.B. 1385; S.B. 1227 (2011)	Prohibits an insurer that offers life, disability, property or liability insurance contracts from denying a claim incurred or deny, refuse, refuse to renew, restrict, cancel, exclude or limit coverage or charge a different rate for the same coverage solely on the basis that the insured or proposed insured is or has been a victim of domestic violence or is an entity or individual that provides counseling, shelter, protection or other services to victims of domestic violence. If an insurer that offers life, disability, property or liability insurance contracts denies a claim incurred or denies, refuses, refuses to renew, restricts, cancels, excludes or limits coverage or charges a different rate for the same coverage on the basis of a mental or physical condition and the insured or the proposed insured is or has been a victim of domestic violence, the insurer must submit a written explanation to the insured or proposed insured of the reasons for the insurer's actions, in accordance with section 202110. The fact that an insured or proposed insured is or has been the victim of domestic violence is not a mental or physical condition. Nothing contained in this subsection is intended to provide any private right or cause of action to or on behalf of any applicant or insured. It is the specific intent of this subsection to provide solely an administrative remedy to the director for any violation of this section.
Wyoming	Wyoming Safe Homes Act (Senate File # SF0030, 2011)	Prohibits the provisions of the Safe Homes Act from being waived or modified in any lease or separate agreement.

UNSUCCESSFUL PROPOSED STATE LEGISLATION: BY STATE

STATE	TYPE OF LAW	CITATION
California	Housing anti-discrimination	S.B. 1745, 2005-06 Reg. Sess. (Cal. 2006)
	Early lease termination by battered tenant Lock changes	S.B. 1745, 2005-06 Reg. Sess. (Cal. 2006) S.B. 1745, 2005-06 Reg. Sess. (Cal. 2006) S.B. 1745, 2005-06 Reg. Sess. (Cal. 2006)
	Housing preferences	
Delaware	Early lease termination by battered tenant	S.B. 274, 143rd Gen. Assembly, Reg. Sess. (Del. 2006)
Florida	Housing anti-discrimination	H.B. 517, 2009 Reg. Sess. (Fla. 2009)
	Early lease termination by battered tenant Lock changes	S.B. 596, 2009 Reg. Sess. (Fla. 2009) S.B. 786, 2010 Reg. Sess. (Fla. 2009); H.B. 1517, 107th Reg. Sess. (Fla. 2005); H.B. 373 and S.B. 880, 109 th Reg. Sess. (Fla. 2007)
Hawaii	Housing anti-discrimination	H.B. 2021, 22nd Leg., Reg. Sess. (Haw. 2004)
	Early lease termination by battered tenant Eviction defense – general	H.B. 469, 24 th Leg. (Haw. 2007) H.B. 1497, 25th Leg. (Haw. 2009)
	Lock changes	H.B. 812, 25th Leg. (Haw. 2009)
Indiana	Housing anti-discrimination	S.B. 254, 94th Gen. Assembly, 2d. Reg. Sess. (Ind. 2006)
	Early lease termination by battered tenant Lock changes	H.B. 1624, 2009 Reg. Sess. (Ind. 2009); S.B. 254, 94th Gen. Assembly, 2d Reg. Sess. (Ind. 2006)
Iowa	Housing anti-discrimination	H.F. 2349, 81st Gen. Assembly (Iowa 2006)
	Calling police	S.F. 208/H.F. 361/H.F. 444/H.F. 554, 81st Gen. Assembly, Reg. Sess. (Iowa 2005)
	Confidentiality of housing records	S.F. 2321, 81st Gen. Assembly (Iowa 2006)
Kansas	Housing anti-discrimination	H.B. 2864, 80th Leg., Reg. Sess. (Kan. 2004)
	Early lease termination by battered tenant	H.B. 2864, 80th Leg., Reg. Sess. (Kan. 2004)
Louisiana	Early lease termination by battered tenant	H.B. 837, 2008 Reg. Sess. (La. 2008)
Massachusetts	Housing anti-discrimination	S.B. 793, 184th Gen. Ct., Reg. Sess. (Mass. 2005); S.B. 627 & H.B. 1747, 186th Gen. Ct. (Mass. 2009)
	Early lease termination by battered tenant	S.B. 793, 184th Gen. Ct., Reg. Sess. (Mass. 2005)
	Housing preferences	S.B. 2274, 186th Gen. Ct., Reg. Sess. (Mass. 2010)
	Confidentiality of housing records	H.B. 1242, 186th Gen. Ct. (Mass. 2009)
	Lock changes	S.B. 793, 184th Gen. Ct., Reg. Sess. (Mass. 2005)
	Relocation assistance and right to emergency shelter	S.B. 2274, 186th Gen. Ct., Reg. Sess. (Mass. 2010)
Possession of property and exclusion of abuser	S.B. 2274, 186th Gen. Ct., Reg. Sess. (Mass. 2010)	

STATE	TYPE OF LAW	CITATION
Michigan	Early lease termination by battered tenant	S.B. 808, 93rd Leg., Reg. Sess. (Mich. 2005); S.B. 185, 95th Leg., Reg. Sess. (Mich. 2009)
Mississippi	Relocation assistance and right to emergency shelter	S.B. 3035, 122d Leg. Sess. (Miss. 2007)
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 by battered tenant Eviction defense – general Relocation assistance and right to emergency shelter Confidentiality of housing records	S.B. 4112 & A.B. 6282, 228th Ann. Leg. Sess. (N.Y. 2005) A.B. 10030, 228 th Ann. Leg. Sess. (N.Y. 2005) A.B. 2365/S.B. 3317, 2009-10 Reg. Sess. (N.Y. 2009-10) A.B. 3149, 2007 Reg. Sess. (N.Y. 2007) A. 9020/S. 5999/S. 55307, 2009-10 Reg. Sess. (N.Y. 2009-10)
Ohio	Early lease termination by battered tenant Lock changes Relocation assistance and right to emergency shelter	H.B. 167, 128th Gen. Sess. (Ohio 2009) H.B. 167, 128th Gen. Sess. (Ohio 2009) H.B. 167, 128th Gen. Sess. (Ohio 2009)
Oregon	Housing anti-discrimination	H.B. 3290, 72 nd Leg. Assembly (Or. 2003)
Pennsylvania	Right of battered tenant on appeal	H.B. 1396, 189th Gen. Assembly, Reg. Sess. (Pa. 2005); H.B. 1599, 2009 Sess. (Pa. 2009)
Rhode Island	Housing anti-discrimination Early lease termination by battered tenant Possession of property and exclusion of abuser	S.B. 129, Gen. Assembly (R.I. 2009) H7675, 2010 January Session (R.I. 2010); H5322, 2009 January Session (R.I. 2009) S.B. 5322, Gen. Assembly (R.I. 2009)
South Carolina	Eviction defense – general	S.B. 243, 118th Leg. Sess. (S.C. 2009)
Tennessee	Early lease termination by battered tenant	H.B. 323/S.B. 902, 106th Gen. Assembly (Tenn. 2009) H.B. 3579, 106 th Gen. Assembly (Tenn. 2009)
Texas	Early lease termination by battered tenant	H.B. 1226, 81st Leg., Reg. Sess. (Tex. 2009)
Utah	Early lease termination by battered tenant Possession of property and exclusion of abuser	H.B. 194, 56th Leg., Reg. Sess. (Utah 2005) H.B. 194, 56th Leg., Reg. Sess. (Utah 2005)
Washington	Eviction defense – general	S.B. 5905, 59th Leg., Reg. Sess. (Wash. 2005)

UNSUCCESSFUL PROPOSED STATE LEGISLATION: BY TYPE

HOUSING ANTI-DISCRIMINATION		
STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
California	S.B. 1745, 2005-06 Reg. Sess. (Cal. 2006)	Would have amended 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. Bill passed the state legislature, vetoed by the Governor.
Florida	H.B. 517, 2009 Reg. Sess. (Fla. 2009)	Would have prevented a landlord from terminating, failing to renew, or refusing to enter into a residential lease due to the tenant's status as a victim of domestic or dating violence, repeat violence, or sexual violence. Bill died in committee.
Florida	S.B. 596, 2009 Reg. Sess. (Fla. 2009)	Would have prevented a landlord from refusing to enter into a rental agreement due to the applicant's status as a victim of domestic or dating violence, repeat violence, or sexual violence. Bill died in committee.
Florida	S.B. 786, 2010 Reg. Sess. (Fla. 2009)	Would have prohibited landlords from refusing to rent to an individual solely because the applicant or a member of their household is a victim of domestic violence, dating violence, repeat violence, or sexual violence. Bill died in committee.
Hawaii	H.B. 2021, 22nd Leg., Reg. Sess. (Haw. 2004)	Would have amended the state fair housing law to prohibit discrimination against victims of domestic violence in any real estate transaction. Bill died in committee.
Hawaii	H.B. 469, 24 th Leg. (Haw. 2007)	Would have amended Hawaii's fair housing law to prohibit discrimination against victims of domestic violence, stalking or persons who have obtained a temporary restraining order or protective order, in any real estate transaction. Bill died in committee.
Hawaii	H.B. 1497, 25th Leg. (Haw. 2009)	Would have prohibited landlords from terminating, failing to renew, or refusing to enter into a rental agreement based on the tenant's status as a victim of domestic violence. Bill died in House.
Indiana	S.B. 254, 94th Gen. Assembly, 2d Reg. Sess. (Ind. 2006)	Would have prohibited landlords from terminating a lease, refusing to renew a lease, refusing to enter into a lease, or retaliating 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. Bill died in committee.

STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Iowa	H.F. 2349, 81st Gen. Assembly (Iowa 2006)	Would have prohibited a landlord from retaliating against a tenant of a dwelling unit or a mobile home space by terminating a rental agreement, raising rent, or decreasing services after a tenant has received police or emergency assistance in response to a domestic violence situation. Bill died in committee.
Kansas	H.B. 2864, 80th Leg., Reg. Sess. (Kan. 2004)	Would have amended the state fair housing law to prohibit discrimination against victims of domestic violence in any real estate transaction. Bill did not pass.
Massachusetts	S.B. 793, 184th Gen. Ct., Reg. Sess. (Mass. 2005)	Would have prohibited landlords from terminating a tenancy, failing to renew a tenancy, or refusing to enter into a rental agreement based on the tenant's status as a victim of domestic violence or based on the tenant's termination of a lease under the early lease termination procedure described below. Bill did not pass.
Massachusetts	S.B. 627 & H.B. 1747, 186th Gen. Ct. (Mass. 2009)	Would have prohibited a landlord from terminating, failing to renew, or refusing to enter into a rental agreement because the tenant or a member of his or her household is a victim of domestic violence, rape, sexual assault or stalking; because the tenant has given temporary shelter to such a victim; or because the tenant has terminated or has a history of having terminated a rental agreement because he/she is a victim. A tenant or household member who is a victim of the above crimes may terminate the lease by notifying the landlord in writing and providing a copy of the order of protection, police report or verification of consultation with a qualified third party. The request to terminate must occur within six months of the most recent events giving rise to the order, police report or consultation. The bill also provides for lock changes. HB 1747 contains similar provisions, but also prohibits an owner from retaliating against a tenant for having reported an assault to the police. Bill superseded by S.B. 2274 (which is pending).
Massachusetts	S.B. 2274, 186 th Gen. Ct., Reg. Sess. (Mass. 2010)	Prohibits an owner from terminating a tenancy, failing to renew a tenancy, or refusing to enter into a rental agreement based on the tenant's or occupant's or applicant's or a member of his or her household's status as a victim of domestic violence, rape, sexual assault or stalking, or based upon actions or failures to act that resulted from domestic violence, rape, sexual assault or stalking directed at the tenant or a member of his or her household. An owner must not terminate a tenancy of a tenant who has provided temporary shelter to a victim of domestic violence, rape, sexual assault or stalking based upon alleged unauthorized occupants. An owner may not refuse to enter into a rental agreement based on the tenant or applicant having terminated or having a history of having terminated a rental agreement under subsection 2 (early lease termination due to domestic violence, rape, stalking etc.) of this section nor will an owner cause to be made any written or oral inquiry or record concerning an applicant's status as a victim of domestic violence, rape, sexual assault or stalking or history of such status provided that if an applicant seeks a priority or preference from a housing provider based upon the applicant's status as a victim of domestic violence, rape, sexual assault, or stalking, or if an occupant seeks assistance from a housing provider based upon the preceding status, the provider may request documentation of the domestic violence, rape, sexual assault, or stalking. Bill died in committee.

STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
New York	S.B. 4112 & A.B. 6282, 228th Ann. Leg. Sess. (N.Y. 2005)	Would have prohibited landlords from denying an individual the right to purchase, rent, lease, or inhabit housing accommodations based on status as a victim of domestic violence. Would have prohibited any person or entity from obtaining or providing information relating to the status of a person as a victim of domestic violence or stalking. Bill did not pass.
Oregon	H.B. 3290, 72 nd Leg. Assembly (Or. 2003)	Would have prohibited housing discrimination based on status as a victim of domestic violence, sexual assault or stalking. Bill did not pass.
Rhode Island	S.B. 129, Gen. Assembly (R.I. 2009)	Would have prohibited discrimination in housing against persons who are recipients of government assistance, including victims of domestic abuse. Bill died in the Senate.

CALLING POLICE

STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Iowa	S.F. 208/H.F. 361/H.F. 444/H.F. 554, 81st Gen. Assembly, Reg. Sess. (Iowa 2005)	Would have prohibited 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. Would have prohibited landlord from retaliating against tenant by terminating rental agreement, raising rent, or decreasing services after victim has received police or emergency assistance. Bills died in committee.

EARLY LEASE TERMINATION BY BATTERED TENANT

STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
California	S.B. 1745, 2005-06 Reg. Sess. (Cal. 2006)	Would have permitted early lease termination by a victim of domestic violence, sexual assault, or stalking, if the victim can demonstrate through a domestic violence protective order or through written documentation from a qualified third party and submits a written request to the 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. Bill passed the state legislature, vetoed by the Governor.
Delaware	S.B. 274, 143 rd Gen. Assembly (Del. 2006)	Would have permitted early lease termination by a victim of domestic violence, domestic abuse, a 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. Bill did not pass.

STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Florida	H.B. 1517, 107th Reg. Sess. (Fla. 2005)	Would have allowed a victim of domestic violence with a protection order to terminate a lease early upon providing the landlord with written notice and a copy of the order within 15 days of the order. Would have required the victim to report the incident of violence and comply with prosecution. Bill died in messages.
Florida	H.B. 373 and S.B. 880, 109 th Reg. Sess. (Fla. 2007)	Would have provided victims of domestic violence with the option of early lease termination upon providing the landlord with written notice of intent to vacate and a copy of the protection order within 15 days after the order is entered. Would not have required the victim to report the incident of violence and comply with prosecution. Bills died in committee.
Florida	H.B. 517 & S.B. 596, 2009 Reg. Sess. (Fla. 2009)	Would have allowed a victim of domestic violence to terminate a lease early upon at least 30 days' written notice to the landlord. Bills died in committee.
Florida	S.B. 786, 2010 Reg. Sess. (Fla. 2009)	Would have allowed a tenant or household member who is a victim to terminate the lease early, by providing a written notice of termination and a no-contact or protective order. Bill died in committee.
Hawaii	H.B. 1497, 25th Leg. (Haw. 2009)	Would have allowed victim to terminate a lease upon providing the landlord with at least 30 days' written notice, provided that the tenant remains responsible for rent until the date of release and that the tenancy continues for any other tenants on the lease. Bill died in House.
Hawaii	H.B. 812, 25th Leg. (Haw. 2009)	Would have allowed for lease termination by victim of domestic violence upon at least 15 days' written notice. Bill passed the House but died in the Senate
Indiana	S.B. 254, 94th Gen. Assembly, 2d Reg. Sess. (Ind. 2006)	Would have permitted 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. Bill died in committee.
Indiana	H.B. 1624, 2009 Reg. Sess. (Ind. 2009)	Would have allowed a victim of domestic violence or sexual assault to terminate a rental agreement upon at least 30 days' written notice, provided that notification includes a copy of a civil order of protection, a criminal no contact order, or a certified copy of a probable cause affidavit. Bill died in committee.

STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Kansas	H.B. 2864, 80th Leg., Reg. Sess. (Kan. 2004)	Would have exempted domestic violence victims from a provision of landlord-tenant law prohibiting a tenant from terminating a lease because of a condition caused by the tenant, person, or animal on the premises with the tenant's consent. Would have allowed a battered tenant to terminate a month-to-month tenancy upon written notice to the landlord. The bill defined "victim of domestic violence" as any person "who can prove the existence of domestic violence" by providing a court order, a police record, documentation that the abuser has been convicted under relevant statutes, medical documentation of the abuse, a statement by a counselor, social worker, health care provider, clergy member, shelter worker, legal advocate, domestic violence or sexual assault advocate, or any other professional, or a sworn statement from the person attesting to the abuse. Bill did not pass.
Louisiana	H.B. 837, 2008 Reg. Sess. (La. 2008)	Would have allowed a tenant who receives a protective order or injunction against a co-lessee or spouse to immediately terminate the lease without any further obligation upon presentation of the order or injunction to the landlord. Bill died in the House.
Massachusetts	S.B. 793, 184th Gen. Ct., Reg. Sess. (Mass. 2005)	Would have allowed a victim of domestic violence, rape, sexual assault, or stalking to terminate a tenancy by providing the landlord with a copy of a protection order, police report, or documentation of consultation with one of a variety of defined service providers, if notice is provided within 90 days of the last reported incident of domestic violence. After terminating the lease, the tenant would have been free from liability for future rent and entitled to a pro rata return of pre-paid rent. Bill did not pass.
Massachusetts	S.B. 2274, 186 th Gen. Ct., Reg. Sess. (Mass. 2010)	Permits the tenant or occupant to terminate the rental agreement and quit the premises when a copy of the order for protection, police report, or verification of consultation with or report to a qualified third party, e.g. police officer, licensed medical care provider, an employee of a court of the state acting in the course of his or her duties, member of the clergy, an attorney, licensed social worker, licensed mental health professional or sexual assault counselor. However, the request to terminate the rental agreement must occur within 6 months of the most recent acts, events, or circumstances that gave rise to the protective order, report to a law enforcement officer, or consultation with or report to a qualified third party. A tenant or occupant who terminates a rental agreement under this section is discharged from the payment of rent for any period following the month of the quitting date, and is entitled to a refund of any prepaid rent for any period following the month of the quitting date, and will receive a full and specific statement of the basis for retaining any of security deposit together with any refund due in compliance with G.L. c. 186 §15B. Other tenants who are parties to the rental agreement are not released from their obligations under the rental agreement or other obligations under this chapter.
Michigan	S.B. 808, 93 rd Leg., Reg. Sess. (Mich. 2005)	Would have allowed a victim of domestic assault to terminate a lease early when the victim provides written notice to the landlord and documentation of the assault. Documentation may be satisfied by a police report or personal protection order. Would have required that all rental agreements include this provision. Bill did not pass.

STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Michigan	S.B. 185, 95th Leg., Reg. Sess. (Mich. 2009)	Would have permitted a tenant who is a victim of domestic assault to terminate a lease upon submission of written notice, including a statement that the tenant has a reasonable apprehension of present danger from domestic violence, sexual assault, or stalking by providing a personal protection order, valid probation order or a written police report that has resulted in the filing of charges. Would have released tenant from the lease no later than the first day of the second month that rent is due after the notice is given. All other tenants would have remained subject to the lease. Bill died in the Senate.
New York	A.B. 10030, 228 th Ann. Leg. Sess. (N.Y. 2005)	Would have permitted a survivor of domestic violence with a protection order to terminate a lease early. Bill did not pass.
Ohio	H.B. 167, 128 th Gen. Sess. (Ohio 2009)	Would have permitted a tenant to terminate a rental agreement or have the tenant's name removed from the rental agreement as a cotenant if that tenant, or a household member of that tenant, is a victim of domestic violence. Bill died in committee.
Rhode Island	H7675, 2010 January Session (R.I. 2010)	Permits early termination of lease for a victim of domestic violence.
Rhode Island	H5322, 2009 January Session (R.I. 2009)	Permits early termination of lease for a victim of domestic violence. Also permits the exclusion of the abuser from the premises.
Tennessee	H.B. 323/S.B. 902, 106 th Gen. Assembly (Tenn. 2009)	Would have permitted victim of domestic violence, sexual assault or stalking to terminate the rental agreement by providing an ex parte order, order of protection, a report from a law enforcement agency, a report from a family violence or child abuse prevention agency, or a medical report dated no more than 60 days prior to the tenant's notice to landlord. Bill died in House and Senate.
Tennessee	H.B. 3579, 106 th Gen. Assembly (Tenn. 2009)	Creates a civil cause of action against the landlord for actual and punitive damages for victims of domestic abuse if the landlord will not alter or terminate lease agreement to allow the tenant to move to a safer location, including, but not limited to, a domestic violence shelter or the residence of a family member of the victim. Bill died in committee.
Texas	H.B. 1226, 81st Leg., Reg. Sess. (Tex. 2009)	Would have allowed victims of certain crimes and family violence to terminate a lease early after vacating the dwelling and providing the landlord with a copy of a temporary injunction or a protective order. Bill died in committee.
Utah	H.B. 194, 56th Leg., Reg. Sess. (Utah 2005)	Would have allowed a victim of domestic violence to void a rental agreement without liability upon 14 days' notice to the landlord and documentation of the violence through a police report or domestic violence protective order. Bill did not pass.

EVICTION DEFENSE – GENERAL		
STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Hawaii	H.B. 469, 24 th Leg. (Haw. 2007)	Would have prohibited landlords from evicting tenants solely because they are victims of domestic violence. Bill died in committee.
New York	A.B. 2365/S.B. 3317, 2009-10 Reg. Sess. (N.Y. 2009-10)	Would have provided that a tenant who is a victim of domestic violence who has been forced to leave the unit because of such violence, and who asserts an intent to return to the housing accommodation will be deemed to be occupying the unit as his or her primary residence. A landlord may not commence a proceeding to recover possession of the housing, on the grounds that it is not the tenant's primary residence, unless the landlord gives thirty days' notice to the tenant first. Bill died in the Assembly and Senate.
South Carolina	S.B. 243, 118th Leg. Sess. (S.C. 2009)	Would have prohibited landlords for applying for ejectment based substantially on the status of the tenant, a member of the tenant's household, or a guest as a victim of domestic violence, sexual assault, or stalking. Bill died in the Senate.
Washington	S.B. 5905, 59th Leg., Reg. Sess. (Wash. 2005)	Would have provided a defense to eviction for domestic violence victims based on the criminal acts or acts of domestic violence perpetrated by a co-tenant. Bill did not pass.
EVICTION DEFENSE – CRIMINAL ACTIVITY		
STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
New Hampshire	H.B. 1565, 159th Sess. Gen. Ct., Reg. Sess. (N.H. 2006)	Would have established 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. Would have given courts discretion to evict the tenant accused of the violation, while allowing the tenancy of the remainder of the residents to continue. Bill did not pass.
HOUSING PREFERENCES		
STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
California	S.B. 1745, 2005-06 Reg. Sess. (Cal. 2006)	Would have clarified that any housing preference for victims of domestic violence, sexual assault, or stalking is permissible. Bill did not pass.
Massachusetts	H.B. 1242, 186th Gen. Ct. (Mass. 2009)	Would have provided for housing preference to be given to victims of domestic violence, dating violence, or stalking who have been displaced or are at risk of harm or displacement as a result of such violence. Died in committee.
Massachusetts	S.B. 2274, 186 th Gen. Ct., Reg. Sess. (Mass. 2010)	Would permit housing authorities and regional housing authorities participating in the public housing innovation program to provide admissions preferences for victims of domestic violence.

LOCK CHANGES		
STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
California	S.B. 1745, 2005-06 Reg. Sess. (Cal. 2006)	Would have provided that 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 and that, if provided with a copy of the order, the landlord must comply with the request. Bill passed the state legislature but was vetoed by the Governor.
Florida	H.B. 517 & S.B. 596, 2009 Reg. Sess. (Fla. 2009)	Would have required a landlord to change the locks upon request of victim. Bills died in committee.
Hawaii	H.B. 1497, 25th Leg. (Haw. 2009)	Would have required a landlord to change the locks upon request of victim. Bill died in House.
Indiana	S.B. 254, 94th Gen. Assembly, 2d Reg. Sess. (Ind. 2006)	Would have permitted 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. Bill died in committee.
Massachusetts	S.B. 2274, 186 th Gen. Ct., Reg. Sess. (Mass. 2010)	Would require an owner to change the exterior locks of a residential dwelling unit upon request if one or more of the tenants or occupants is under a credible imminent threat of domestic violence, rape, sexual assault, or stalking at the premises. The owner has the right to request, in good faith, evidence to support a claim of domestic violence, rape, sexual assault or stalking. However, no owner is required to request such evidence and can change the locks as requested upon receipt of the written request of the tenant or occupant alone. An owner who has received notice of a request for change of exterior locks, must, within 48 hours, change the exterior locks or give the tenant or occupant the permission to change the exterior locks. An owner may charge a reasonable fee for the expense of changing the exterior locks. If an owner fails to change the exterior locks within 48 hours after being provided with the notice described above, along with evidence if requested, the tenant or occupant may change the exterior locks without the owner's permission.
Ohio	H.B. 167, 128 th Gen. Sess. (Ohio 2009)	Would have required a landlord of a tenant who is a victim of domestic violence or stalking to change the lock to the unit where the tenant resides upon receipt of a written request from the tenant. If landlord failed or refused to do so, tenant would have been permitted to change the lock. Bill died in committee.

POSSESSION OF PROPERTY AND EXCLUSION OF ABUSER		
STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Massachusetts	S.B. 2274, 186 th Gen. Ct., Reg. Sess. (Mass. 2010)	Would require notice to the owner requesting a change of exterior locks, if the threat of domestic violence, rape, sexual assault or stalking is from a person who is also a tenant or occupant of the leased dwelling unit, to be accompanied by evidence to support a claim of domestic violence, rape, sexual assault, or stalking including but not limited to orders pursuant to G.L.C. 209A, police reports, or court records indicating which tenant or occupant is posing the threat of domestic violence, rape, sexual assault, or stalking. The tenant or occupant requesting a change of exterior locks will not be required to obtain written notice from or give notice to the person posing a threat regardless of which tenant is the lessee or head of household under a written lease or tenancy at will.
Rhode Island	S.B. 5322, Gen. Assembly (R.I. 2009)	Would have allowed a victim of domestic violence to retain a right of possession to housing, even if the head of the household is convicted of domestic violence. A criminal conviction of domestic violence would also be required for a landlord to evict the head of a household comprised of one or more minor children. Bill died in committee.
Utah	H.B. 194, 56th Leg., Reg. Sess. (Utah 2005)	Would have allowed a victim of domestic violence to ask the landlord to exclude the abuser from the unit or the 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. Bill did not pass.
RIGHT OF BATTERED TENANT ON APPEAL		
STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Pennsylvania	H.B. 1396, 189th Gen. Assembly, Reg. Sess. (Pa. 2005)	Would have given victims of domestic violence 30 days, instead of the usual 10 days, to appeal a judgment of a state district court in matters regarding possession of real property or recovery of rent due. The appeal could 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. Bill did not pass.
Pennsylvania	H.B. 1599, 2009 Sess. (Pa. 2009)	Would have provided that within 30 days after a judgment arising out of a residential lease involving a domestic violence victim, either party may appeal, or if a victim of domestic violence appeals, that appeal may serve as a "supersedeas" if the tenant pays any rent that has accrued during the court proceeding within ten days of its becoming due. Bill died in committee.

RELOCATION ASSISTANCE AND RIGHT TO EMERGENCY SHELTER

STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Massachusetts	S.B. 2274, 186 th Gen. Ct., Reg. Sess. (Mass. 2010)	Proposes the establishment of family stabilization services including programs to assist victims of domestic violence in finding and maintaining permanent housing.
Mississippi	S.B. 3035, 122d Leg. Sess. (Miss. 2007)	Would have provided temporary housing and relocation assistance for victims of domestic violence in "imminent danger." Bill died after House and Senate failed to reconcile amendments.
New York	A.B. 3149, 2007 Reg. Sess. (N.Y. 2007)	Would have authorized state crime victims board to award victims of domestic violence money to reimburse expenses for relocation and security measures. Bill died in the Assembly.

CONFIDENTIALITY OF HOUSING RECORDS

STATE	LEGISLATIVE CITATION	SUMMARY (LEGISLATION)
Ohio	H.B. 167, 128 th Gen. Sess. (Ohio 2009)	Would have prevented a victim of domestic violence or stalking from being charged for any assistance that law enforcement offices provides to such a victim. A victim of domestic violence or stalking who is a tenant in a unit owned or operated by a metropolitan housing authority would have been permitted to request that the housing authority transfer the tenant to another location. A landlord would not have been permitted to share any information with respect to a tenant's status as a victim of domestic violence or stalking with any other past, current or prospective landlord. Bill died in committee.
Iowa	S.F. 2321, 81st Gen. Assembly (Iowa 2006)	Would have added an exemption to open records laws for the addresses of recipients of housing assistance who have applied for or have been granted restraining orders to protect themselves or members of their households. Bill died in the House.
Massachusetts	S.B. 793, 184th Gen. Ct., Reg. Sess. (Mass. 2005)	Would have prohibited tenant screening service providers from including in an oral or written report to a landlord information regarding acts of domestic violence, the tenant's status as a victim of domestic violence, or the tenant's prior early termination of a lease under the early termination provisions. Bill did not pass.
New York	S.B. 4112 & A.B. 6282, 228th Ann. Leg. Sess. (N.Y. 2005)	Would have prohibited any person or entity from obtaining or providing information relating to the status of a person as a victim of domestic violence or stalking. Bill did not pass.
New York	A. 9020/S. 5999/S. 55307, 2009-10 Reg. Sess. (N.Y. 2009-10)	Would have limited ability of landlords to obtain information about an individual's domestic violence victim status solely for the purposes of providing or preserving residency in any public or private housing for the victim; providing any other assistance to a victim to help him or her to obtain or retain housing; or responding to an inquiry or request by an applicant or tenant who is a victim. Bill died in the Senate.

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For additional information or to notify NLCHP of pending legislation in your state, please contact Lisa M. Coleman at (202) 638-2535 or lcoleman@nlchp.org.

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