

THE SAFE HOMES ACT

What is The Safe Homes Act?

It is a law that gives you or anyone in your household who is a victim of domestic or sexual violence (including dating violence, stalking, child abuse, and elder abuse) the right to:

- End your lease (written or oral) early and leave the home. Tenants who properly use the law will not be responsible for rent due after they leave the home.
- Change the locks to keep the abuser out of the home in an emergency. You can do this if you have a written lease and the abuser is not on the lease, OR if you are an ORAL or WRITTEN leaseholder with a court order granting you exclusive possession of the premises.

Is my home covered by this law?

You can use the Act if you live in:

- Private rental housing, no matter the size.
- Subsidized housing, including housing choice “Section 8” vouchers.
- Public housing is NOT covered.

NEED HELP?

In Chicago—

Domestic Violence Help Line: 877-TO END DV
Rape Crisis Hotline: 888-293-2080
Legal Assistance Foundation: 312-341-1070

Outside Chicago—

Land of Lincoln Legal Help: 800-252-8629
Prairie State Legal Services: 800-531-7057

ENDING YOUR LEASE EARLY

If you or anyone in your household is a victim of domestic or sexual violence, you can end the lease early, even when the abuser is a member of the household, if:

- There is a credible imminent threat of harm on the premises.
- You give the landlord written notice of the credible imminent threat 3 days before or after you leave the home.

Bring another adult with you when you drop off the notice, or send it by certified mail. Keep a copy of the notice for yourself. If you end your lease early, you must remove all your belongings and turn over your keys to your landlord or property manager. This shows that you have given up the apartment.

Extra Protections for Sexual Violence

You may end your lease early **WITHOUT** showing a credible imminent threat, if an act of sexual violence occurred on the premises against you or anyone in your household. To end the lease you must:

- Give the landlord written notice 3 days before or after you leave home and within 60 days of the sexual violence, or as soon as possible afterwards.
- Include evidence, such as police reports, medical records, court records, or a statement from a victim services organization.

Updated: CHANGING YOUR LOCKS

You can request an emergency lock change if there is a credible imminent threat of domestic or sexual violence on the premises, as long as:

- You have a WRITTEN lease and the abuser is NOT on the lease. You must give your landlord a written request from all tenants on the lease and include evidence, such as police reports, medical records, court records, or a statement from a victim services organization.
- OR
- You share an ORAL or WRITTEN lease with the abuser and you have a Plenary Order of Protection or Civil No Contact order granting you exclusive possession of the property. You must give your landlord written notice from all tenants except the abuser and include a copy of the court order with the notice.

Your landlord must change the locks or give you permission to change them within 48 hours of the written request. If your landlord does not change them within 48 hours, you may change them without the landlord's permission, or sue the landlord in court to have the locks changed. You and your landlord must make a good faith effort to give the new keys to one another within 48 hours.

VIOLENCE AGAINST WOMEN ACT (VAWA)

EXAMPLES OF:

Credible Imminent Threat

- The abuser comes to your or a household member's job and you fear he will come to your house next.
- A stalker stands across the street from your or a household member's apartment.
- You are sexually assaulted on the premises and the police have not caught the abuser.
- An abusive ex-boyfriend knows where you live.
- Your wallet and keys were stolen by the abuser and have not been found.

On the Premises

- Laundry room, back yard, parking lot, hallways, front and back entrances, inside the apartment unit, etc.

Written Notice

- "My ex-husband just got out of jail and found out where I live. He said he would kill me. Under the Safe Homes Act, I am leaving my apartment now" (to end the lease early).
- "My date sexually assaulted me in my apartment last night. I just can't live here anymore and want to use the Safe Homes Act to leave" (to end the lease early).
- "My ex-boyfriend made a copy of my house key without permission. I want to change the locks using the Safe Homes Act" (to get the locks changed).

What is VAWA?

VAWA is a federal law that protects victims of domestic violence, dating violence, and stalking who live in or with:

- **Public Housing**
 - **Project-Based Section 8 Housing**
 - **Private Housing with a Housing Choice "Section 8" Voucher**
- Victims of sexual violence are only protected in some situations.

Admissions

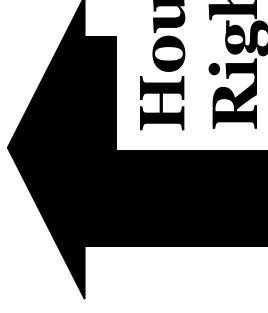
Property owners CANNOT use an applicant's history as a victim of domestic violence, dating violence, or stalking as a reason to refuse housing assistance if they otherwise qualify.

Evictions

Incident(s) of ACTUAL or THREATENED domestic violence, dating violence, or stalking, including related criminal activity, do NOT give a landlord the right to evict if the victim is a tenant or immediate member of the tenant's family.

Ending the Abuser's Lease

The building owner may evict, remove, or terminate the lease of a single tenant who commits physical violence against family members or others. The building owner also must obey any court order that gives victims of violence possession of the home.



Housing Rights For Victims of Domestic & Sexual Violence



SHRIVER
CENTER

Sargent Shriver National Center on Poverty Law

housingactionillinois

For more information, please contact:

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