

# THE SAFE HOMES ACT – Effective Jan. 2007

## ENDING YOUR LEASE EARLY

## CHANGING YOUR LOCKS

### ***What is The Safe Homes Act (SHA)?***

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 only do this if you have a written lease and the abuser is not on the lease.

### ***Is my home covered by SHA?***

You can protect yourself under 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

Under The Safe Homes Act, you or a household member who is a victim of domestic violence or sexual violence, 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 or anyone in your household, including children, may end the lease early WITHOUT showing a credible imminent threat, if an act of sexual violence took place on the premises. To end the lease you must:

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

You can ONLY change your locks if you have a written lease and the abuser is NOT on the lease. If you are covered, you have the right to ask your landlord for an emergency lock change.

You must give your landlord a written request from everyone who is on the lease. The request must be due to a credible imminent threat of domestic or sexual violence. The request must include at least ONE of the following:

- A statement from an employee of victim services, domestic violence, or rape crisis organization from which you or anyone in your household, including children, has sought services.
- Medical, court, or police evidence.

Your landlord must change the locks or give you permission to change the locks within 48 hours of the written request. If your landlord does not change the locks within 48 hours, you may change them on your own without the landlord's permission, or sue the landlord in court to have the locks changed. If you change the locks, you must give the landlord a new key within 48 hours.

## EXAMPLES OF:

## VIOLENCE AGAINST WOMEN ACT (VAWA)

### 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 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



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