

THE SAFE HOMES ACT

The Safe Homes Act gives victims of domestic or sexual violence of any kind several rights if they are renting:

Survivors may **END THE LEASE EARLY**.

Tenants who properly use the law will not have to pay the rent once they leave.

- ◆ Tell the landlord *in writing* about the threat of violence on the premises (apartment, laundry room, parking lot, etc.) 3 days before or after you leave.
- ◆ Remove your belongings and return the key to show you are really leaving.
- ◆ If the sexual assault was on the premises, give the landlord notice 3 days before or after you leave and within 60 days after the assault. Include evidence like a police report or medical or court records.

Survivors may **CHANGE THE LOCKS** to keep the abuser out of the home.

- ◆ Give the landlord proof of potential violence and a written request from *all* people on the lease (except the abuser if he or she is on it)
- ◆ If the abuser is on the lease, the locks can be changed if there is an Order of Protection or Civil No Contact Order.

WHEN DOES THIS LAW APPLY?

- ◆ The abuser comes to your job, and you fear he will come to your house next.
- ◆ You are sexually assaulted in the hall, and the police have not caught the abuser.
- ◆ An abusive ex-partner knows where you live.

Need immediate help? Call the Illinois Domestic Violence Hotline for free, 24-hour support.

1-877-TO END DV (863-6338)

1-877-863-6339 (TTY)

If you are a victim of sexual assault, call the National Sexual Assault Hotline

1-800-656-HOPE (4673)

Founded in 1968, HOPE Fair Housing serves Chicago's Northwestern & Western Suburbs, as well as twenty-eight other counties in Northern & North Central Illinois.



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HOPE

Fair Housing Center

Opening America's Closed Doors



Mural by Joel Bergner, 2010, Milwaukee

Housing Rights for Survivors of Abuse

If you or someone you know has experienced some form of domestic or sexual abuse or harassment, you have special housing protections under federal, state, and local laws.

FEDERAL PROTECTIONS

⇒ The federal Violence Against Women Act (VAWA 2013) protects anyone who

- ◆ Is a victim or a spouse, sibling, parent, or child of a victim of actual or threatened domestic violence, dating violence, sexual assault, or stalking,

AND

- ◆ Is living in or applying to public housing programs.*

⇒ VAWA 2013 allows Public Housing Authorities and Section 8 landlords to evict an abuser while allowing the rest of the household to stay.

⇒ Property owners cannot refuse to rent to someone because he or she has been a victim of domestic or sexual violence if the applicant otherwise qualifies.

⇒ Situations of domestic or sexual violence do not give the landlord the right to evict the victim.

The Fair Housing Act does not specifically protect victims of domestic abuse or sexual assault, but since the majority of survivors are women, cases of discrimination can sometimes be tried under the protected class of sex.



If you think you may be a victim of housing discrimination,

1. **Contact** HOPE Fair Housing Center.
2. **Document** meetings and phone calls with landlords, property managers, real estate agents, loan officers, and insurance agents.
3. **Save** all receipts, copies of applications, business cards, and other documents.

All of HOPE's services are *free*.

When appropriate HOPE can:

- ◆ Investigate potential discrimination
- ◆ Advocate on your behalf with a housing provider
- ◆ Assist in filing a Dept. of Housing & Urban Development (HUD) complaint
- ◆ Help conciliate your case with the offending party
- ◆ Refer your case to attorneys that are experts in fair housing litigation

Legitimate reasons for someone not to rent or sell a dwelling include insufficient income, poor credit history, and criminal history. Whatever policies are in place must be applied to **all** applicants.

Fair Housing law protects tenants from sexual harassment from

Landlords	Maintenance People
Property Managers	Other Tenants

Sexual harassment includes asking for sexual favors, unwanted sexual advances, touching, or sexual comments.

A landlord cannot evict you for reporting sexual harassment, but you have a limited time to exercise your rights.



The Federal Fair Housing Act and Illinois Human Rights Act prohibit discrimination in housing based on these protected classes:

Race	Ancestry
Color	Marital status
National Origin	Age (<i>for those over 40</i>)
Religion	Military status
Sex	Sexual orientation
Disability	Gender identity
Familial status (<i>households with children under 18 & women who are pregnant</i>)	Order of Protection status
	Unfavorable military discharge

*All public housing, project-based Section 8, Housing Choice Vouchers, Section 202, Section 811, Section 236, and Section 221 (d)(3) BMIR Projects, properties with HOME, HOPWA, or McKinney-Vento Funding, and Rural Development Multifamily and LIHTC Housing.