

A Fair Housing Guide:

SURVIVORS OF DOMESTIC VIOLENCE



If you are a survivor of Domestic or sexual violence, fair housing laws protect you.

Federal and state laws protect your right to safe and stable housing in several ways. These laws:

- Prohibit housing providers from denying you housing because you are a survivor
- Help you maintain your housing and safety
- Allow you to leave housing that is unsafe
- Protect you from retaliation, such as threats of eviction

Survivors are protected regardless of their sex, gender identity, or sexual orientation.

If you are a survivor of human trafficking and have experienced domestic violence, dating violence, sexual assault, or stalking, you are protected.

WHO IS PROTECTED?

The **Federal Fair Housing Act** protects the following classes from discrimination in housing:

- Race
- Color
- Religion
- Sex*
- National origin
- Disability
- Familial Status**

The **Illinois Human Rights Act** provides additional protections based on:

- Ancestry
- Pregnancy
- Sexual Orientation
- Gender Identity
- Order of Protection Status
- Age (40+)
- Military Status
- Arrest Record
- Source of Income
- Immigration Status

*includes sexual harassment

**includes pregnancy status

THE ILLINOIS SAFE HOMES ACT

The IL Safe Homes Act gives survivors* living in private rental and subsidized housing the right to:

- End your Lease Early
- Change Your Locks

The IL Safe Homes Act can **ONLY** be enacted when the person harming you knows or when you think they know where you live.

This law requires you to follow some specific instructions, including providing notices within specific timeframes. Contact your local DV services, legal aid provider, or fair housing center to learn more about your rights under the IL Safe Homes Act.

**Includes domestic or sexual violence, dating violence, stalking, child abuse, and elder abuse.*

The Violence Against Women Act (VAWA)

The federal **Violence Against Women Act (VAWA)** protects you from being discriminated against by housing providers because you are a survivor of actual or threatened domestic violence, dating violence, sexual assault, or stalking.

IMPORTANT: VAWA applies only if you are applying for or using public housing programs.

Some of the programs covered under VAWA:

Public Housing, Housing Choice Voucher, Project-based Section 8, Section 811 Supportive Housing for Persons with Disabilities, Housing Opportunities for Persons With AIDS (HOPWA), Continuum of Care, Section 236 Multifamily Assistance

Under VAWA, Public Housing Programs CANNOT...

- Deny you admission or assistance
- Evict you or terminate your assistance
- Deny your request for an emergency transfer

...due to experienced or threatened violence covered by VAWA.

Under VAWA, You CAN...

- **End the Lease of the Person Harming You:** If someone living in your home is violent towards you, the housing provider may evict and remove them from the lease, while allowing you and the rest of the household to stay in the home.

If you need immediate help:

Call or Text the Illinois Domestic Violence Hotline for FREE 24/7 support **1-877-863-6338**.

If you are a victim of sexual assault, call the National Sexual Assault Hotline **1-800-656-4673**.

To learn more about your rights under VAWA or to file a complaint, visit <https://www.hud.gov/vawa>

IF YOU THINK YOU HAVE FACED HOUSING DISCRIMINATION:

- Contact HOPE Fair Housing Center.
- Document meetings, phone calls, and requests made with landlords, property managers, real estate agents, and other involved parties.
- Save all email, mail correspondence, receipts, copies of applications, business cards, and other documents.

CRIME FREE & NUISANCE HOUSING ORDINANCES

Municipalities across the country have passed what are known as "crime-free" or "nuisance-free" (CFNO) ordinances. These ordinances may require housing providers to evict tenants if they have contact with law enforcement or request emergency services. CFNOs pose troubling fair housing issues for survivors because it forces them to choose between requesting emergency assistance or risk losing their housing.

Section 603 of VAWA was enacted as a response to crime-free nuisance laws across the country. Below are some of the protections it offers housing providers, homeowners, tenants, residents, occupants, guests of, and applicants for all housing types:

- The right to report crime to law enforcement and seek emergency assistance for yourself or another person in need of assistance; and
- Protection from being penalized for requesting assistance or because you are a victim of a crime.

