



Domestic Violence & Sexual Assault Are Fair Housing Issues

Up to 3 million Americans, 85% of whom are women, are physically abused by a current or former intimate partner each year. Many sexual assault victims know their accusers and the assaults often occur in their homes. Survivors may face a *credible imminent threat* of violence. A significant cause of homelessness in women results when landlords try to evict women from their homes after learning of the domestic violence, or when women leave their homes to escape their abuser.

How the Federal Fair Housing Act Protects Victims of Domestic Violence

The Federal Fair Housing Act prohibits a landlord or housing provider from discriminating against any person on the basis of race, color, national origin, religion, sex, familial status or disability. Because women have a greater risk of being the victim of domestic violence, the Federal Fair Housing Act protects women from housing discrimination based upon their gender when they are victims of domestic violence.

Examples of Housing Discrimination Due to Domestic Violence

- A landlord or public housing authority tries to evict a woman when they learn she is the victim of domestic violence.
- After learning that a woman is a victim of domestic violence, a landlord applies new rules to her that are not applicable to other tenants.
- A landlord refuses to lease housing to a woman as a result of learning she has been the victim of domestic violence in the past.
- A public housing authority discovers a woman has called the police to her home to protect herself from domestic violence and terminates her housing voucher as a result.

If You Experience Domestic Violence:

First, call the police, 9-1-1. An order of protection bars the abuser from the premises. Anyone can file an order of protection on behalf of an abused minor or adult who cannot file the order for themselves because of (*over*)

disability, age, health problems, or inaccessibility. In Illinois, same sex relationships are also covered by domestic violence law.

ADDITIONAL PROTECTIONS FOR TENANTS

Under the Illinois *Safe Homes Act*, effective as of January 2007:

- You may break your lease because of domestic violence, sexual assault, or stalking, if you face a “credible imminent threat of harm on the premises,” even if the abuser is in the household. You must give the landlord *written notice* of the threat *within three days* of formally moving out.
- In an emergency, a landlord must change the locks within 48 hours of receiving your *written* request to keep out the abuser. This applies if you have a written lease and the abuser is not on the lease. You should include evidence of your claim. (Evidence can include police reports, court or medical records, or a statement from a victim services organization. This is not necessary if the violent act happened on site.)

Under the Violence Against Women Act (VAWA) of 2005:

- Public housing authorities (PHA) cannot deny an apartment or Housing Choice (Section 8) Voucher to a survivor of domestic violence.
- The PHA or landlord may, but is not required to, evict or end housing assistance to the perpetrator of the violence. If requested, the tenant must provide the PHA or landlord with “certification” within 14 days of receiving the request. “Certification” must include the name of the offender. A landlord or PHA must keep your information confidential.
- Voucher recipients may “port” their voucher (move to another jurisdiction) to protect or keep themselves or a household member safe from domestic violence, dating violence, or stalking

IF YOU ARE AN IMMIGRANT

If you meet certain legal criteria, VAWA allows immigrant women to legalize their immigration status in the family immigration system independent of their abusers.

Contact *Interfaith Housing Center* if you believe you are the victim of housing discrimination and want to understand more fully your rights. This service is *free and confidential*. Call 847-501-5760 (phone) or 847-501-2741 (TTY). www.interfaithhousingcenter.org

Interfaith Housing Center of the Northern Suburbs is the area’s premier advocate for fair and affordable housing, a non-for-profit, membership-based agency founded in 1972.

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