

## DO YOU RENT?

### Are you a victim of domestic violence, stalking, or sexual assault?

If you rent and are such a victim, you have legal rights. These rights also apply if a minor child living with you is a victim.

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**If you (or your child) are the victim of domestic violence\*, you have the right to terminate or be released from your lease or rental agreement with a 14-day notice, so you can move quickly.**

Your responsibilities:

1. You must request the release from your landlord in writing. That can be as simple as a statement that “I am a victim of domestic violence [or stalking or sexual assault]. Attached is copy of proof. I request that I be released from my rental agreement effective \_\_\_\_.” You must put in a date that’s at least 14 days after delivering the notice to the landlord. If you mail the notice, the date must be at least 17 days after you mail it.
2. You must provide proof that you are a victim. Proof can be any of the following:
  - a. A court order of protection (commonly called a restraining or stalking order) showing you as the victim,

\* for purposes of this flier, “domestic violence” includes stalking, sexual assault, and dating violence.

- b. A copy of a police report showing you as the victim of an act of domestic violence\*,
  - c. A copy of a conviction of the perpetrator of domestic violence\*, *or*
  - d. A statement from a law enforcement officer, your attorney or doctor, or a victim services provider stating you have reported an act of domestic violence\*. These people or agencies should have access to the required form.
3. You are responsible for rent up until the release date and any damages occurring before the release date.

Your rights:

1. If you are the sole tenant:
  - a. You can terminate your tenancy.
  - b. You will not be subject to fees based solely on termination (like a lease-buyout fee, or having to return move-in incentives).
  - c. You are responsible for rent only up to the termination date,
  - d. Your landlord must return to you your security deposit (or an accounting for how it was spent) within 31 days. Your landlord can use the deposit for damage or any money you owe.
2. If you are not the sole tenant:
  - a. You can be released from your tenancy.
  - b. You are not responsible for rent past the release date.
  - c. You are not responsible for damage occurring after the release date.
  - d. The remaining tenants are responsible for the remainder of the lease; their tenancy continues.
  - e. The landlord cannot, because you’re moving out, terminate the tenancy of the remaining tenants.
  - f. If any security deposit remains after

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- the entire tenancy ends, you may be entitled to a share of it.
3. Your landlord may not disclose to others any information you provide regarding your status as a victim unless you agree or in an eviction action or as allowed by law.

**If you (or your child) are the victim of domestic violence\*, you have the right to have your locks changed promptly.**

Your responsibilities:

1. You must notify your landlord that:
  - a. You are a victim of domestic violence\*, and
  - b. You want your locks changed.
2. If the perpetrator of the domestic violence\* lives with you, you must give your landlord a copy of a restraining order that specifically orders the perpetrator to move out.
  - a. The perpetrator’s tenancy rights end automatically when the restraining order becomes final.
  - b. The landlord may evict the perpetrator (without evicting you) if the perpetrator physically assaulted you.
3. If the perpetrator doesn’t live with you, you just have to make the request. A request by phone or in person is legal, but in writing is always best. You should keep a copy.
4. You must pay the cost of changing the locks.
5. If you change the locks or have them changed, you must give a key to the landlord.
6. You continue to be responsible for rent and other obligations under your rental agreement.

Your rights:

1. The landlord must either:
  - a. Promptly change your locks, *or*
  - b. Allow you to change the locks or have them changed.

If the landlord does neither, you have the right to change the locks yourself or have them changed.

2. Your landlord can't insist you pay the lock-change cost before changing the locks but can bill you and ultimately evict you if the bill isn't paid.
3. Your landlord should not allow the perpetrator back into your home unless the court orders that.

**If you (or your child) are the victim of domestic violence\*, a landlord may not treat you differently for that reason.**

Your rights:

1. A landlord may not refuse to rent to you or refuse to renew your lease or terminate your tenancy because:
  - a. You are a victim of domestic violence\*, *or*
  - b. A violation of your lease is an incident of criminal activity involving domestic violence\* where you are the victim.
2. A landlord may not impose different rules or selectively enforce rules because you are a victim of domestic violence\*.

Your responsibilities:

1. You may be evicted if the landlord has already given you a written warning notice about the perpetrator's behavior and:

- a. You consent to the perpetrator coming onto the property and he becomes a threat to others on the property, or
- b. You allow the perpetrator to move in without the landlord's permission.

**If someone you live with commits a criminal act of physical violence against you (or your child), a landlord may evict the perpetrator with a 24-hour notice.**

Your rights:

1. A landlord may not evict you or your children, only the perpetrator.
2. If a landlord tries to evict all of you, you can have the eviction stopped if you notify the landlord (or the court, if an eviction has been filed in court) that you are a victim of domestic violence\*. The landlord can continue the termination or eviction against the perpetrator.
3. Your landlord cannot increase your rent or make other changes in your lease.

Your responsibilities:

1. If your landlord tries to evict all of you, you must notify the landlord (in writing is always best) that you are a victim of domestic violence\*.
2. You must not invite the perpetrator onto the premises or allow the perpetrator to move back in with you.

\* for purposes of this flier, "domestic violence" includes stalking, sexual assault, and dating violence.

The law is more complex. This flier explains the basics of the law, but is not a substitute for the law itself or competent legal advice.

*National Domestic Violence Hotline  
800-799-7233*

*Women's Crisis Line for help in Oregon  
888-235-5333*

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