

Evansville Court & Press (IN)

Tuesday, April 10, 2007

Domestic Violence Measure Signed

By Bryan Corbin, *Courier & Press* Statehouse bureau (317) 631-7405 or
corbinb@courierpress.com

INDIANAPOLIS – A bill that protects domestic-violence victims who are renters has been signed into law by the governor.

Victims of domestic or sexual abuse or stalking who live in rental dwellings will have new legal rights once the law, House Enrolled Act 1509, takes effect July 1, 2007.

If a victim who lives in a rental unit obtains a civil protective court order or a criminal no-contact order against the perpetrator, she will have more legal options to increase her own safety. The landlord is required to change the locks within 24 hours at the victim's expense if the perpetrator lived there too (or 48 hours if he didn't). If the landlord doesn't change the locks, the tenant has the right to change them, and the landlord must reimburse the resident for the cost, the law says.

In situations where staying in the apartment would be dangerous, the victim can terminate the lease without financial penalty with 30 days' notice and pro-rated rent until the termination date, the law says.

Landlords will not be able to retaliate against domestic-violence victims or terminate or refuse to renew their leases just because a victim had sought a court order against an abusive partner.

"The main thing is, we did not want domestic violence to be a reason that a landlord could void a lease agreement," said Sen. Vaneta Becker, R-Evansville, who sponsored the bill in the Senate. Becker worked on the legislation at the request of the Indiana Coalition Against Domestic Violence and also tried to craft wording that satisfied the apartment owners' lobbying group.

"First of all, there had to be some kind of court action against a perpetrator," Becker said of the new requirements. "A potential victim couldn't just say, 'He's harassing me.' They had to take some action (such as seeking a court order) and put themselves in a protected class."

Landlords Protected from Liability

The new protections cover victims of domestic or family violence, sex offenses or stalking, who are tenants in rental units. Landlords also will be protected from civil liability from accused perpetrators.

The new law applies equally to tenants of all rental properties, whether single-unit rented houses or a large apartment complex with hundreds of units.

The bill passed 97-0 in the House and 48-0 in the Senate. Gov. Mitch Daniels signed it into law last week.

Copyright © 2007 The Evansville Courier Co.