



## NEW MASSACHUSETTS HOUSING LAW HELPS VICTIMS OF DOMESTIC VIOLENCE, RAPE, SEXUAL ASSAULT and STALKING

If you need to change your locks because you or someone in your household is the victim of domestic violence, rape, sexual assault or stalking, a new law may help you.

**You can ask your landlord to change the locks** to your *own* unit if:

- ✓ You or a member of your household reasonably believes that an incident of domestic violence, rape, sexual assault or stalking may occur if the locks are not changed.

### Can my landlord ask me for proof?

Yes. A landlord may ask you to provide *one* of the following:

- ✓ Copy of a valid protection or harassment prevention order;<sup>1</sup>
- ✓ Copy of a report of the incident made to a federal, state or local court or law enforcement (e.g., police) including the perpetrator's name if known;
- ✓ A letter from a qualified person including domestic violence and sexual assault counselors, licensed social workers and mental health professionals, and law enforcement professionals. Adult victims will be asked to provide a sworn statement that the facts included in the letter are correct.

The landlord cannot share this information with anyone else.<sup>2</sup>

### What if the person who poses a threat lives with me?

The landlord must change the locks and refuse to give that person a key if you provide *one* of the following:

- ✓ Copy of a valid protection or harassment prevention order; *or*
- ✓ A record from a federal, state or local court or law enforcement (e.g., police) that indicates the person poses a risk to you or another member of your household.

The law prohibits you from giving that person a copy of the new key.

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<sup>1</sup> Under G.L. 209A, victims of violence who are family members, reside in the same household or have a substantial dating relationship with the perpetrator can obtain an order prohibiting further contact and/or abuse. Under G.L. 258E, victims of criminal harassment, stalking and sexual assault, regardless of their relationship to the perpetrator, can obtain a harassment prevention order prohibiting further contact and/or harassment.

<sup>2</sup> The exception to this is if you provide a written release or if required by a court order, government regulation or governmental audit requirements.

## When will the landlord change the locks?

A landlord must change the locks within 2 business days of your request or give you permission to do it.

If the landlord *requests proof* of the threatening situation, the locks must be changed within 2 business days of receipt of the proof or give you permission to do it.

If you receive no response within the required time frame, you may change the locks. *If you change the locks, they must be installed in a professional manner and the new lock must be like or better than the lock you replace.*

## Do I have to pay for the new locks?

You may be charged a reasonable fee for the expense. You may be eligible for help with this fee through Victim Compensation.<sup>3</sup>

## Resources

If you would like to learn more about how this law can help you, please consult with a housing or legal advocate or attorney prior to contacting your landlord.

Find your **local sexual and/or domestic violence program** here:

[http://www.janedoe.org/find\\_help/search](http://www.janedoe.org/find_help/search). All services are free and confidential.

Find local **legal services** here: <http://www.masslegalservices.org/FindLegalAid>

### **24-Hour Assistance:**

<b>SafeLink/Massachusetts Domestic Violence Hotline</b>	<b>1-877-785-2020</b> (TTY 1-877-521-2601)
National Domestic Violence Hotline	<b>1-800-799-SAFE (7233)</b> (TTY 1-800-787-3224)
National Sexual Assault Hotline (RAINN)	<b>1-800-656-HOPE (4673)</b>
National Dating Abuse Hotline	<b>1-866-331-9474</b> (TTY 1-866-331-8453)

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<sup>3</sup> You may be able to have the fee covered through Victim Compensation. The Victim Compensation Division of the MA Attorney General's Office may be able to provide financial assistance to eligible victims of violent crime for certain security measures; this may include the replacement, repair or installation of locks to promote victims' safety.

Massachusetts Victim Compensation & Assistance Division **(617) 727-2200 ext. 2160**

<http://www.mass.gov/ago/public-safety/resources-for-victims/victims-of-violent-crime/victim-compensation.html>