

# STATE AND FEDERAL LAW CAN HELP YOU

Tenants who have experienced domestic violence are protected by California state laws and certain federal laws like the Fair Housing Act (7 CFR § 1901.203). Other federal law specifically prohibits denial of a rental application for federally subsidized housing based on your prior experiences with domestic violence. (24 CFR § 5.2005 – VAWA Protections)

# HERA

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RIGHT NOT TO BE  
DENIED RENTAL  
HOUSING DUE TO  
DOMESTIC  
VIOLENCE



# IN PUBLIC/ SUBSIDIZED HOUSING, YOU HAVE THE RIGHT:

To not have your housing application denied because of poor credit, rental history, unpaid rent or utility debt, or prior lease violations that are the direct result of domestic violence.

# TO BE PROTECTED, YOU SHOULD:

Submit a form provided by HUD that states:

- The applicant is a survivor of domestic violence
- The reason they are being denied is connected to domestic violence



- The name of the abuser (if it is known and safe to provide)

Tenants in affordable housing programs like Section 8, public housing, and affordable housing properties known as LIHTC properties are also protected by the Violence Against Women Act (34 U.S.C. §12491(b)(1)). Tenants in these programs can't be evicted or denied housing because of bad credit, debt, or lease violations that happened because of domestic violence.

Practice Tip: Many housing providers are not aware of this protection, so if you are denied housing because of a credit or rental issue caused by domestic violence, it may help to get a social worker or lawyer to help advocate for your rights. More information can be found in this HUD letter starting on page 7: <https://www.hud.gov/sites/documents/17-05hsgn.pdf>.

# OTHER RESOURCES

- Information on preparing to leave: National Coalition Against DV, Hope and Power for Your Personal Finances:

[https://ncadv.org/assets/2497/hope\\_and\\_power\\_english\\_version.pdf?1506375199990=](https://ncadv.org/assets/2497/hope_and_power_english_version.pdf?1506375199990=)

- Information on credit score issues and financial abuse resources:

[www.debt.org/advice/financial-help-domestic-violence-victims/](http://www.debt.org/advice/financial-help-domestic-violence-victims/)

- Information on getting restraining orders in California:

WomensLaw.org,  
CA Restraining Orders  
<https://www.womenslaw.org/laws/ca/restraining-orders>