



SENATOR MARIA ELENA DURAZO LEGISLATIVE FACTSHEET

Tenant Protections for Victims of Violent Crimes

Senate Bill 1190

Summary:

This measure ensures that victims of violent crimes and their family/household members can terminate a lease without penalty within 180 days following a crime. This measure also ensures local enforcement of tenant protections.

Background:

California law ensures that victims of domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or a dependent adult and their family/household members can terminate a lease without penalty following victimization. However, victims of other violent crimes (e.g., co-victims of homicide, survivors of gun violence, and survivors of robbery) and their family/household members do not have the same relocation protections.

Last year, Senator Durazo proposed SB529, which would have protected and strengthened tenant associations and required evictions for cause. Fortunately, Assemblymember Chiu's historic bill, AB 1482, did pass, which codified just cause protections and rent caps. However, AB 1482 has limited enforcement mechanisms. Tenants must take their cases to the Attorney General, and there has been little guidance on this process.

Problem:

One of the most fundamental human needs is the security of a stable, safe home. After a violent crime, victims and their family/household members face significant challenges to maintaining a stable, safe home and may need to relocate quickly. In a March 2019 report by Crime Survivors for Safety

and Justice, recent data shows that more than 4 in 10 crime survivors (42%) would have wanted emergency or temporary housing following the crime, though only 6% received it. Staying in the victims' home may increase the risk of developing Post-Traumatic Stress Disorder (PTSD) and expose victims to further violence. When victims of other violent crimes make the difficult decision to break their lease, these victims and their family/household members may experience further financial and housing insecurity. Breaking a lease could mark the tenants' credit score and lead to future landlords discriminating against the tenants.

Solution:

SB 1190 would codify relocation protections for victims of violent crimes and family/household members within 180 days following a crime. SB 1190 would ensure that landlords do not discriminate against tenants by refusing to rent to tenants for breaking a lease subject to their rights. SB1190 would also codify local enforcement of tenant protections. This means that a city attorney, including the city attorney of a city and county, any district attorney, or any county counsel can enforce tenant protections.

Inseparable from our vision of Production, Preservation and Protection are the rights of tenants. In particular, protections should be expanded for tenants experiencing the most vulnerable circumstances, such as victimization. Central to the ability of individuals to join and assert their rights is a strong system of laws and protections that mitigate the risk of intimidation and retaliation.

Sponsor:

Crime Survivors for Safety and Justice

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