

## How do I find an “accredited domestic violence or sexual assault program”?

Your local domestic violence shelter should be able to write you a safety plan; local law enforcement, court officials, or legal aid organizations should also be able to help you find one. Alternatively, a list of accredited organizations may be found at <http://www.icadvinc.org/>.

## Who will be responsible for paying off the lease?

You will bear responsibility for paying rent for the period up to the effective date of your early termination. You must pay this rent at the time it would have been due. If the perpetrator was originally on the lease, they will still be responsible for rent and damages even though they have been excluded.

## If I leave early, who gets the security deposit?

You are entitled to any refunds or returns as if you had finished the original lease term, including your security deposit. However, if there are other tenants in the dwelling who will not be leaving early, that deposit does not have to be returned until 45 days after the last tenant on the lease has moved out.

## Can I be charged anything extra for early termination?

Your landlord cannot charge you any penalties or other extra costs just because you are ending your lease early under this new law.

## But won't breaking my lease make me look bad when I apply for a new lease somewhere else?

In Indiana, Landlords may NOT refuse to enter into a lease with you solely because you have terminated your lease as described above. They may refuse for other reasons, however.

TO SUBMIT AN APPLICATION FOR  
LEGAL ASSISTANCE, CALL ILS INTAKE

<b>Evansville</b> 1(800)852-3477 or (812)426-1295	<b>Bloomington</b> 1(800)822-4774 (812)339-7668
<b>Merrillville</b> 1(888)255-5104 or (219)886-3161	<b>Fort Wayne</b> 1(888)442-8600 (260)424-9155
<b>Indianapolis</b> 1(800)869-0212 (317)631-9410	<b>Lafayette</b> 1(800)382-7581 (765)423-5327
<b>New Albany</b> 1(800)892-2776 or (812)945-4123	<b>South Bend</b> 1(800)288-8121 (574)234-8121

[www.indianalegalservices.org](http://www.indianalegalservices.org)  
Español 1(866)934-2138

# Indiana Rights for Tenants Who Are Victims of Domestic Violence, Sexual Violence, or Stalking

Prepared by  
**Indiana Legal Services, Inc**

This is for information only. It is not legal advice. For legal advice, contact an attorney or a Legal Services office.

**Your landlord may have certain duties to you the tenant to help ensure your safety and ability to maintain your protection order.**

If you or someone in your household has been the victim of Domestic Violence, Sexual Violence, or Stalking; AND A **civil protection order** [PO] or **criminal no contact order** [NCO] has been granted from a finding of such acts; then this law will apply to you.

**Does this law allow me to stay in my house or apartment?**

Your landlord may *NOT* terminate your lease or otherwise retaliate solely because of your status as a protected person. There may be other arguments for eviction, however, outside of the issues addressed by the PO/NCO.

**Does it matter when I signed my lease?**

Yes. This law only applies if you have *signed* or *renewed* a lease after June 30<sup>th</sup>, 2007.

**In spite of the order, I'm still afraid. What about changing locks?**

If you and the perpetrator of the crime your PO/NCO is based on shared the dwelling place in question, then the landlord must change the locks and provide you with a key within 24 hours of receiving a copy of the order.

If you and the respondent *lived in different dwelling units*, then the landlord must change the locks and provide you with a key within 48 hours.

**Who pays for the changing of the locks?**

You the tenant may have to pay for the changing of the locks, but *only if* the landlord changes the locks within the times given above. If they do not do so, then you the tenant may undertake changing the locks yourself and claim reimbursement from your landlord. Please note that you are required in this case to provide the landlord with a copy of the new key within 24 hours of the change.

**What does my landlord need before changing the locks?**

You must provide your landlord with (1) a written request, & (2) a copy of the PO or NCO before the 24 & 48 hour time periods begin to elapse.

**Can my landlord let the perpetrator onto the premises?**

Unless the PO/NCO explicitly allows it, your landlord may *not by any act give the perpetrator access to the premises*. If your PO/NCO *does* provide for such a visit, it would probably be a good idea to ask the judge at the hearing to grant you a "Motion to Assist," requiring that law enforcement officers will also be present during the visit.

**Can my landlord make me give up these rights in the lease?**

No. Your rights under this particular law cannot be waived, through the lease contract or otherwise.

**What if I feel unsafe staying in my house at all? Can I "break my lease"?**

Yes. This new law provides ways to legally terminate your lease before it was originally supposed to have run.

**What do I need to give my landlord to break my lease?**

All of the following must be included in a written notice to the landlord, at least 30 days prior to the effective date of termination:

- (1) Written notice of termination, with the effective date of that termination;
- (2) A copy of the PO/NCO; and
- (3) In cases of domestic or sexual violence, a safety plan from an accredited domestic violence or sexual assault program. This safety plan must include an explicit written recommendation for your relocation, and be drawn up no more than 30 days before you send the landlord the notice.