



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

**You can change your locks  
if you or someone in your household is the victim  
of domestic violence, rape, sexual assault or stalking.**

**The landlord must change the locks, upon request, to your *own* unit if:**

You, or a member of your household, reasonably believes that you are in danger from an incident of domestic violence, rape, sexual assault or stalking. You must ask the landlord to change the locks. It is best to make the request in writing (or by email, text, etc.) and keep a copy of the request and any response. The request does not need to explain the reason for your fear or the history of abuse.

### **Can my landlord ask me for proof?**

Yes. A landlord can ask for *one* of the following:

- Copy of a valid protection or harassment prevention order;<sup>1</sup>
- Copy of a record of an incident of domestic violence, rape, sexual assault, or stalking from 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. A qualified person can be a domestic violence or sexual assault counselor, licensed social worker or mental health professional, or a law enforcement professional. Adult victims must provide a sworn statement that the facts included in the letter are true.

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

### **What if the person I am scared of lives with me?**

The landlord must change the locks and refuse to give that person a key if you give the landlord *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 is a danger to you or anyone in your household.

You also cannot give 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 landlord can release your personal information if you give a written release or if a court order, government regulation or governmental audit requires the release of the information.

## 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 yourself.

If the landlord requests *proof* of the threatening situation, the locks must be changed within 2 business days after you give the landlord proof. Or the landlord can give you permission to change the locks yourself.

If you get no response within the two days, you may change the locks yourself. If you change the locks, they must be installed in a *professional manner* and the new lock must be *like or better than the old lock*.

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

Maybe. The landlord can charge you a reasonable fee for the cost of changing the lock. The fee is meant to cover the cost of the new lock and the cost of the labor to install it. Victim Compensation may be able to give you some of the money to cover the cost of the new lock.<sup>3</sup>

## Resources

If you would like to learn more about how this law can help you, talk to a housing or legal advocate or attorney before you contact 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 by 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>