



# LB 320: Supporting Survivors of Domestic Violence Through Housing Protections

Domestic violence survivors **should not be evicted** because of the violence they have endured, **nor should they be forced to stay and live with their abuser** because of a lease agreement.

## Survivors Should Not Face Eviction as a Direct Result of Violence Endured

Current law protects victims of domestic violence by ensuring that a victim cannot be evicted because a harm-doer conducts an act of domestic violence if the victim reports to law enforcement or seeks a protection order.

- **For some victims, engagement in the criminal legal system may not be the safest first step in response to domestic violence.** The most dangerous time for a survivor of domestic violence and highest risk time for homicide is when their abuser feels a loss of power and control, and thus escalates violence.<sup>1</sup> Often, this process coincides with, or is initiated by, contact with law enforcement and protection services, such as obtaining a protection order or reporting domestic violence to law enforcement. As a result, some survivors will not feel safe initially obtaining a protection order or reporting to law enforcement and for others, securing safe housing may be a necessary prerequisite.
- **Some survivors may never wish to engage in the criminal legal system because it may not align with their goals or needs in the aftermath of violence.** For example, a survivor may rely on the income of their harm-doer for support, and system involvement could jeopardize or harm their economic stability. 7 in 10 survivors report that contact with police “sometimes” or “often” resulted in the loss of housing, employment or welfare benefits for either themselves or their harm-doer.<sup>2</sup>



**More than  
1 in 3  
survivors of  
domestic  
violence  
will become  
homeless at  
some point in  
their lifetime.<sup>3</sup>**

**LB 320 supports survivors by allowing documentation options outside the criminal legal system, through certification by a domestic violence advocate, as evidence to access eviction protections.**

## Survivors Should Never Be Forced to Stay with an Abuser Because of a Lease

**Nearly half of all homeless women report that their homelessness is the direct result of domestic violence.<sup>4</sup>**

- Currently, a survivor may be forced to stay and live with their abuser because their rental agreement does not allow for early termination and/or would hold them responsible for the remaining months of rent. No survivor should be forced to remain in unsafe housing because they can't afford to leave.
- LB 320 supports survivors of domestic violence by ensuring a survivor may obtain an early termination of their rental lease if their housing is no longer safe in the aftermath of violence with no additional termination costs other than the current month's rent.

LB 320 aligns with the Women's Fund value of: **Community Voice, Equity and Intersectionality.**  
To learn more about our mission, vision and values visit [www.OmahaWomensFund.org](http://www.OmahaWomensFund.org).



## Economic Stability is a Primary Barrier to Leaving an Abusive Relationship

**99 percent of survivors of domestic violence will experience economic abuse from their harm-doer**, including controlling one's ability to work, controlling how money is spent, limiting access to bank accounts or banking decisions, accumulating debt in the survivor's name and more.<sup>5</sup> Instances of domestic violence also often impact someone's ability to work or directly results in additional expenses, impacting a survivor's economic security.

**Experiences of violence and the decision to leave an abusive relationship can create tremendous economic uncertainty—and fear of eviction or being trapped in a lease compound the economic uncertainty for victims and their family. The provisions of LB 320 support the ability of victims to leave an abusive situation by reducing housing uncertainty.**

**Survivors of intimate partner violence are 4 times more likely to experience housing instability.<sup>6</sup>**

### **LB 320 Includes Additional Provisions to Support Renters in Stable, Affordable Housing:**

- Mirrors mobile home housing laws with landlord-tenant laws to ensure mobile home renters are provided the same protections as other renters in Nebraska.
- Strengthens provisions to ensure tenants are given clear notice before a landlord enters their unit, so that tenants can feel safe in their homes knowing who is entering and when.
- Requires landlords to list the statutory reason for seeking an eviction when filing the eviction so that all tenants know why they are facing evictions.
- Changes method of notice to a tenant of eviction service, ensuring all tenants know if they are facing eviction and when their hearing is.
- Allows both parties an opportunity to reschedule the initial hearing for good cause shown (e.g, they don't have childcare that particular day or they have tested positive for COVID); any subsequent continuance would require extraordinary cause.
- Requires semiannual reports on statewide eviction data so that housing advocates may better understand local housing needs and focus assistance resources.

**Recognizing the intrinsic connections between domestic violence and economic security, these additional provisions included in LB 320 are critical in supporting survivors and building safer communities.**

<sup>1</sup> Campbell, JC, et al. "Risk Factors for Femicide in Abusive Relationships: Results from a Multistate Case Control Study," American Journal of Public Health, 93 No. 7, (2003) 1092.

<sup>2</sup> "Responses from the Field: Sexual Assault, Domestic Violence, and Policing," CUNY School of Law, University of Miami School of Law, American Civil Liberties Union, (October 2015). [https://academicworks.cuny.edu/cgi/viewcontent.cgi?article=1075&context=cl\\_pubs](https://academicworks.cuny.edu/cgi/viewcontent.cgi?article=1075&context=cl_pubs).

<sup>3</sup> "Domestic Violence, Housing, and Homelessness," National Network to End Domestic Violence, (July 2019). [https://nnedv.org/wp-content/uploads/2019/07/Library\\_TH\\_2018\\_DV\\_Housing\\_Homelessness.pdf](https://nnedv.org/wp-content/uploads/2019/07/Library_TH_2018_DV_Housing_Homelessness.pdf).

<sup>4</sup> Naeh, "Homelessness and Domestic Violence: What's the Connection?" National Alliance to End Homelessness, (October 2015). <https://endhomelessness.org/homelessness-and-domestic-violence-whats-the-connection/>.

<sup>5</sup> "About Financial Abuse," National Network to End Domestic Violence. <https://nnedv.org/content/about-financial-abuse/>.

<sup>6</sup> Joanne Pavao, MPH, Jennifer Alvarez, PHD, et. Al, "Intimate Partner Violence and Housing Instability," American Journal of Preventive Medicine, 32, no. 2, (February 2007) 143-146. [https://pubmed.ncbi.nlm.nih.gov/17234488/#:~:text=It%20is%20expected%20that%20women,3\)%20without%20their%20own%20housing](https://pubmed.ncbi.nlm.nih.gov/17234488/#:~:text=It%20is%20expected%20that%20women,3)%20without%20their%20own%20housing).