

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT

Introduced By: Representatives Fenton-Fung, Shallcross Smith, Lima, Cardillo, and
Messier

Date Introduced: February 15, 2023

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 34-18 of the General Laws entitled "Residential Landlord and Tenant
2 Act" is hereby amended by adding thereto the following section:

3 **34-18-58. Termination of residential lease by domestic abuse victim, sexual assault**
4 **victim or stalking victim.**

5 (a) As used in this section:

6 (1) "Domestic abuse victim" means any person who suffers domestic abuse pursuant to
7 chapter 15 of title 15 and falls within the following categories:

8 (i) Adults or minors who are current or former spouses;

9 (ii) Adults or minors who live together or who have lived together;

10 (iii) Adults or minors who are dating or who have dated or who have or had a sexual
11 relationship. "Dating" and "dated" do not include fraternization between two (2) individuals in a
12 business or social context;

13 (iv) Adults or minors related by blood or adoption;

14 (v) Adults or minors who are related or were formerly related by marriage; or

15 (vi) Adult or minor children of a person in a relationship that is described in sections
16 (a)(1)(i) through (a)(1)(v) of this subsection.

17 (2) "Household member" means a member of the tenant's family who lives in the same
18 household as the tenant.

19 (3) "Sexual assault victim" means any person, regardless of the relationship with the

1 perpetrator, who has been subjected to, threatened with, or placed in fear of any form of rape, or
2 sexual assault as defined in chapter 37 of title 11.

3 (4) "Stalking victim" means any person, regardless of the relationship with the perpetrator,
4 who has been subjected to, threatened with, or placed in fear of the offense of stalking, as defined
5 in chapter 59 of title 11.

6 (b)(1) A tenant who meets the requirements established in this subsection (b) of this section
7 may terminate a residential rental or lease agreement entered into or renewed on or after July 1,
8 2023, upon the tenant providing the landlord with written notice stating that the tenant or household
9 member is a domestic abuse victim, sexual assault victim, or stalking victim, regardless of whether
10 the victim is an adult or a child. In order for a tenant to terminate the tenant's rights and obligations
11 under the rental or lease agreement and vacate the dwelling without liability for future rent and
12 early termination penalties or fees, the tenant shall provide the landlord with:

13 (i) Written notice requesting release from the rental or lease agreement;

14 (ii) A mutually agreed upon release date within the next thirty (30) days from the date of
15 the written notice; and

16 (iii) One of the following:

17 (A) A copy of a valid order of protection issued or extended pursuant to following a hearing
18 at which the court found by a preponderance of the evidence that stalking, based on a police report
19 reflecting that the tenant or household member was subject to domestic abuse, sexual assault, or
20 stalking, regardless of whether the alleged victim is an adult or a child.

21 (2) The documentation the tenant offers in support of the termination request shall be dated
22 no more than sixty (60) days prior to the tenant's notice to the landlord.

23 (3)(i) Unless otherwise required by law or a court of competent jurisdiction, a landlord
24 shall not reveal any identifying information concerning a tenant who has terminated a rental or
25 lease agreement without the written consent of the tenant.

26 (ii) "Identifying information" means any information that could reasonably be used to
27 locate the former tenant or household member, including a home or work address, telephone
28 number, or social security number.

29 (4) The tenant shall vacate the premises within thirty (30) days of giving notice to the
30 landlord or at any other time as may be agreed upon by the landlord and the tenant.

31 (c) A tenant terminating the rental or lease agreement pursuant to this section is responsible
32 for:

33 (1) The rent payment for the full month in which the tenancy terminates; and

34 (2) The previous obligations outstanding on the termination date.

- 1 (d) This section does not:
- 2 (1) Release other parties to the rental or lease agreement from the obligation under the
- 3 rental or lease agreement;
- 4 (2) Authorize the landlord to terminate the tenancy and cause the eviction of a residential
- 5 tenant solely because the tenant or a household member is a domestic abuse victim, sexual assault
- 6 victim, or stalking victim, regardless of whether the victim is an adult or child; or
- 7 (3) Authorize the landlord or tenant, by agreement, to waive or modify any provision of
- 8 this section other than subsection (b)(4) of this section.

9 SECTION 2. This act shall take effect upon passage.

=====
LC001267
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT

1 This act would allow termination of a residential lease by a domestic abuse victim, sexual
2 assault victim or a stalking victim.

3 This act would take effect upon passage.

=====
LC001267
=====