



**NOW LEGAL DEFENSE
AND EDUCATION FUND**

395 HUDSON STREET, NEW YORK, NY 10014-3684 (212) 925-6635 FAX: (212) 226-1066

**TESTIMONY SUBMITTED TO
THE NEW YORK CITY COUNCIL COMMITTEE ON GENERAL WELFARE
IN SUPPORT OF INTRO 107
JULY 25, 2002**

**BY NOW LEGAL DEFENSE AND EDUCATION FUND
STAFF ATTORNEY WENDY WEISER**

Thank you for the opportunity to testify. My name is Wendy Weiser, and I am a Staff Attorney at the NOW Legal Defense and Education Fund. NOW Legal Defense has been working for more than thirty years to define and defend women's rights. Our goals include ending violence against women and eliminating barriers to women's economic opportunities.

NOW Legal Defense strongly supports Intro 107. I will focus my remarks on the housing discrimination provisions.

Domestic violence, sexual assault and stalking have a profound impact on victims' ability to maintain safe and reliable housing. Take, for example, Tiffanie Alvera's case.

One morning in 1999, Tiffanie's husband assaulted her in their apartment. The police came, arrested her husband, charged him with assault, and jailed him. Meanwhile, Tiffanie was rushed to the hospital to treat her injuries. She then went to court and obtained a restraining order prohibiting her husband from coming near her or into their apartment complex.

Two days later, she was served with a 24-hour eviction notice saying that she was being evicted because of the domestic violence incident, pursuant to the landlord's "one strike against violence" policy.

This is not an anomaly. After NOW Legal Defense and co-counsel represented Tiffanie in a fair housing case against her landlord in Oregon, we received numerous calls from victims – including many in New York City – whose landlords were discriminating against them simply because they were victims of domestic violence, sexual assault or stalking.

One victim in New York was threatened with eviction because her ex-husband, who no longer lived with her and was subject to a restraining order, had previously abused her. Another received an eviction notice after her former boyfriend entered her apartment building without permission and scribbled insulting graffiti on the wall.

We have also received reports of landlords refusing to rent to women coming from domestic violence shelters. In an illustrative study in Iowa, 67% of domestic violence service providers identified “discriminatory practices by landlords” as a barrier battered women face in their effort to secure permanent housing.

It is already extraordinarily challenging for a victim of domestic violence, sexual assault or stalking to break away from a dangerous relationship or to find safety. It is even more difficult if she fears that taking measures to make herself safe could cause her landlord to evict her and her children from their home.

Because there is currently no assurance that landlords will not discriminate against victims or will agree to reasonable accommodations that are low or no-cost, many victims are forced to make the terrible choice between suffering in silence or losing their housing.

The result is that many victims are effectively discouraged from reporting their abuse or taking steps to protect themselves, and many others become homeless. In a recent survey by the U.S. Conference of Mayors, 56% of cities identified domestic violence as a primary cause of homelessness.

Existing laws in New York do not adequately protect these victims.

There is a growing national recognition of the need to address housing discrimination against victims of domestic violence, sexual assault and stalking.

For example, Congress recently directed the Department of Housing and Urban Development to develop plans to protect domestic violence victims from discrimination in public housing. A number of states have passed laws that protect victims of domestic violence or sexual assault from housing discrimination only in limited circumstances. Only Rhode Island has passed a law prohibiting all forms of housing discrimination against domestic violence victims, and Hawaii has a similar law pending.

We applaud the Council’s leadership in enacting Local Law 1 of 2001 and making New York City the first jurisdiction in the country to prohibit all employment discrimination against domestic violence victims. While that was an important step toward addressing some of the consequences of violence against women, more needs to be done to ensure that victims can achieve security and independence. Intro 107 will put New York City at the forefront of national efforts to address the impact of domestic violence, sexual assault and stalking on victims’ employment and housing security.