



HOUSING DISCRIMINATION AGAINST VICTIMS OF DOMESTIC VIOLENCE: TESTIMONIALS FROM SURVIVORS*

Clarabelle in New York City

Clarabelle and her abuser were married and lived in his house. When Clarabelle found out she was carrying quadruplets, her husband became abusive and tried to force her to abort three of them. He hit her, forced her to sleep on the floor, and kicked her. He also refused to help her to the hospital when she went into early labor. In late 2002, Clarabelle obtained a protective order against her husband and, after some months, a Section 8 housing voucher. During her search for an apartment in 2003 and 2004, a number of landlords, all on Staten Island, told her that they would not rent to a victim of domestic violence either because they were afraid that her abuser would “cause trouble” and bother the other tenants or because they simply believed that domestic violence victims were not the kinds of people they wanted to have in their neighborhood. One landlord initially said he would accept her Section 8 voucher, but then when she told him why she had been approved for a voucher (due to domestic violence), the landlord refused to rent to her.¹

Connie Raney in Seattle, Washington

When Connie Raney’s husband would not stop beating her, she left him, bringing her young child. In April 2002, she sought to move into a house at Narrow Creeks Townhomes, a development bearing signs, “townhomes for rent.” While Ms. Raney was filling out the rental application, a woman at the rental desk asked her, “Did your divorce have anything to do with domestic violence?” When Ms. Raney said that it did, the woman said that they would not be able to rent a home to her. Ms. Raney had no better luck when she contacted the managers of the development.²

“Linda” in New York City

A few years ago, Linda’s husband assaulted her in their New York City Housing Authority (NYCHA) apartment. He was arrested, and Linda obtained a criminal court order of protection excluding him from the residence. She informed NYCHA of what had happened, and

* All names marked with an asterisk (“*”) are persons whom Legal Momentum (also known as NOW Legal Defense and Education Fund) either represented or assisted. Sources for all other testimonials are in the footnotes.

¹ Clarabelle is a client of Sanctuary for Families and was interviewed at length by Legal Momentum.

² See Susan Paynter, “Domestic Violence Protection Brings New Hurts,” *The Seattle Post-Intelligencer*, Jan. 21, 2004, E1.

NYCHA subsequently moved to evict both Linda and her former husband from the apartment because of the assault.

Wyneneicka Blackwell in Denver, Colorado*

On July 7, 2003, a former boyfriend of Wyneneicka Blackwell unlawfully entered her apartment in a government-subsidized complex and proceeded to attack her brutally over a period of eight hours. Following this attack, Ms. Blackwell promptly notified the police, and the police issued a warrant for her former boyfriend's arrest. However, he evaded arrest and remained at large for several months. When Ms. Blackwell was released from the hospital, she was terrified to return to her apartment because she feared what might happen if her abuser came back to her home. Accordingly, Ms. Blackwell requested a transfer to an apartment in a different complex where her attacker would not be able to find her. The management company, which had a policy of providing transfers to tenants in good standing, denied Ms. Blackwell's request mostly because of a history of domestic violence, which, they said, meant that they did not consider her a tenant in good standing.

“Angela” on Staten Island, New York

Angela is a former domestic violence victim who was living in New York City with her disabled mother and two children. When her landlord was cited for building code violations in October 2003, Angela was required to find a new apartment. She found a listing for a vacant apartment on Staten Island and was invited by the landlord to look at the apartment. When she arrived, there was another woman looking at the same apartment, accompanied by someone helping her. The landlord asked both Angela and the other woman a number of questions, and then asked the other woman if she had been a victim of domestic violence. When she did not respond, he said, “that’s the only problem I have. Some women came up to me for rentals for victims of domestic violence. I had to tell them no, none of us landlords from Staten Island want to be involved with that, and neither do the realtors. I'm sorry but we will not rent to them.” Angela was therefore unable to rent that apartment. A number of real estate agents also told Angela that they could not help her because landlords on Staten Island simply do not want to deal with domestic violence. It took her over a year to find a new apartment.³

Tiffanie Ann Alvera in Portland, Oregon*

On the morning of August 2, 1999, Tiffanie Ann Alvera was physically assaulted by her husband in their government-subsidized two-bedroom apartment. The police arrested her husband, placed him in jail, and charged him with assault, for which he was eventually convicted. That same day, after receiving medical treatment for the injuries her husband inflicted, Ms. Alvera went to court and obtained a restraining order prohibiting him from coming near her or onto the apartment complex where they lived. When she gave the resident manager of the apartment complex a copy of the restraining order, she was told that the management company had decided to evict her as a result of the incident of domestic violence. Two days later, Ms. Alvera's landlord served her with a 24-hour notice terminating her tenancy. The notice explained that she was being evicted because “[y]ou, someone in your control, or your pet,

³ “Angela” is a member of Voices of Women Organizing and was interviewed at length by Legal Momentum.

has seriously threatened immediately to inflict personal injury, or has inflicted personal injury upon the landlord or other tenants.” The notice referred to the August 2 incident in which Ms. Alvera was injured.⁴

Landlords in Syracuse, New York*

In 2002, Legal Momentum assisted a fair housing enforcement officer in Syracuse, New York who was trying to change the practices of landlords in Syracuse, New York who routinely threaten tenants who are victims of domestic violence with eviction if they call the police.

“Bernadine” in Richmond, California*

Legal Momentum assisted housing attorneys representing Bernadine, who lived in a government-subsidized complex for the elderly and disabled. In late 2001, Bernadine’s daughter was assaulted by her daughter’s former husband in the parking lot of Bernadine’s apartment building. The building manager witnessed the assault and then served Bernadine with an eviction notice.

“Tanya” in Saratoga County, New York

A few months ago, Tanya obtained a protective order against her abusive former boyfriend. Nevertheless, Tanya did not feel safe because the boyfriend’s mother lived across the hall from Tanya in a Section 8 apartment complex, and he repeatedly came to the complex, allegedly to see his mother. As a result, Tanya asked her landlord if she could transfer to an apartment in a different complex owned by the landlord. Rather than applying a neutral transfer policy to Tanya’s request, the landlord flatly refused the transfer, explaining that domestic violence victims like Tanya always “let” their abusers back in the house anyway. Despite Tanya’s repeated requests for a transfer for safety purposes, the landlord denied her requests. Ultimately, the former boyfriend broke into Tanya’s apartment, held her captive for over twenty-four hours, and raped and beat her severely.

“Sara” in Louisville, Kentucky*

In May 2003, Sara’s boyfriend assaulted her in her rental apartment in a condominium building. Shortly afterward, Sara obtained a protective order against him, and he did not return to the apartment. A neighbor complained to the condominium association, and the association responding by writing a letter to the owner of the unit Sara rented, threatening increasingly drastic action with any recurrence of the domestic violence. Following three recurrences, the association declared that it would foreclose on the unit.

“Joyce” in the Bronx, New York*

Joyce lived with her mother and son in a co-op in the Bronx. In 2002, the father of Joyce’s son attacked her in her home. When the co-op board found out about the incident, the

⁴ See Complaint and Complaint in Intervention, *United States & Alvera v. C.B.M. Group, Inc.*, No. 01-857-PA (D. Or., filed June 8, 2001), available at <http://www.nowldef.org/html/issues/vio/housing.htm>.

board insisted that Joyce sign a document promising that there would be no further “disturbances” for nine months. Almost nine months later, Joyce’s abuser attacked her again. The co-op board then initiated proceedings to remove Joyce from the co-op.

“Tom” in Alabama*

Several years ago, Tom, an elderly and disabled man, was attacked and brutally stabbed by an ex-girlfriend, who had snuck into his apartment when he opened the door for another guest. When he returned from his long hospitalization, he obtained a protective order prohibiting her from coming near the premises, and the landlord issued a “no trespass” order against her. In early 2002, the ex-girlfriend again snuck into the apartment complex and again violently attacked Tom outside his apartment as he was returning home. When Tom returned from the hospital, his landlord, a public housing authority, served him with an eviction notice for violating the “no trespass” order and for engaging in illegal activity on the premises.

“Ellen” in Rockland County, New York*

In November 2001, Ellen suffered an incident of domestic abuse at her home. She immediately obtained a protective order prohibiting her abuser from coming near her or her residence. Two days later, Ellen’s landlord sent her a “30-day Notice to Vacate Premises,” seeking to terminate her tenancy because she was the victim of domestic violence.

Aaronica Warren in Ypsilanti, Michigan

On February 29, 2000, Aaronica Warren was assaulted in her apartment by a former boyfriend. That same day, she reported the attack to the police. On March 8, 2000, she received a Notice of Termination of Tenancy stating that she was being evicted because of “criminal activity” on the premises of her apartment. The “criminal activity” was her own victimization by domestic violence.⁵

“Vivian” in Milwaukee, Wisconsin

Vivian obtained an order of protection against her abusive ex-boyfriend in June 2002, after he assaulted her in her Section 8 apartment. Nonetheless, her ex-boyfriend continued to come to her home, stalk her, assault her, and harass her. Vivian repeatedly called the police, and he was repeatedly arrested. In August 2002, her landlord warned her that if he received any more complaints about these disturbances in her apartment, he would evict her, and that an eviction would make it difficult for her to find other Section 8 housing. On November 30, 2002, the ex-boyfriend waited for Vivian inside the apartment building and physically assaulted her in the building’s hallway. Neighbors called the police, and the ex-boyfriend was charged with felony battery. Three days later, Vivian’s landlord informed Vivian that because of the repeated disturbances in her apartment, she needed to vacate before the end of the month.⁶

⁵ See <http://www.aclu.org/WomensRights/WomensRights.cfm?ID=14555&c=173>.

⁶ “Vivian” was interviewed and assisted by the ACLU Women’s Rights Project.

“Ronda” in Cedar Rapids, Iowa

Ronda had a Section 8 voucher that helped her pay her rent. She lived with her four children and her boyfriend. In July 2001, her boyfriend assaulted her, and she ended her relationship with him. He moved out, and she removed him from her lease. Ten days after the assault, she received notice from the local housing agency that her Section 8 assistance was being terminated because of her boyfriend’s violent criminal activity. With the loss of the Section 8 assistance, Ronda was unable to pay her rent.⁷

“Carmen” in Brooklyn, New York*

Several years ago, Carmen left her abusive husband and obtained a temporary order of protection against him. Over the years, her former husband continued to harass Carmen at home and at work in violation of the protective order. In 2003, he repeatedly showed up at Carmen’s apartment in Brooklyn, where he would shout and bang on the door to induce Carmen to let him in. If she let him in, he would continue to verbally harass her, often volubly. As a result of her abuser’s actions, Carmen was served with an eviction notice for creating a “nuisance.”

“Jane” in Queens, New York*

In 2003, Jane and her children went on vacation. During their absence, her former boyfriend and the father of her children broke into her apartment and set it on fire. The fire was put out. When Jane returned from vacation and learned what had happened, she obtained a protective order against her former boyfriend. Her landlord pursued a criminal complaint against her former boyfriend, resulting in his incarceration. Based on this one incident that occurred in her absence, and despite the fact that the perpetrator was incarcerated, the landlord served an eviction notice on Jane for creating a “nuisance.”

Patricia Winsor, Patricia Robinson, and Veronica Brown in Wisconsin

Patricia Winsor, Patricia Robinson, and Veronica Brown were all living at a battered women’s shelter when they applied to rent at the Kingswood Hills Apartments in December 1992. Staff at the rental office disparaged them for living in a battered women’s shelter. In their rental applications, each of the women gave their rental histories but asked that their former husbands and abusers not be contacted. Against their confidentiality interests, the landlord contacted the former abusers and then denied their rental applications.⁸

Deborah O’Neil in Salem, Massachusetts

In June 1988, Deborah O’Neil was shown a vacant apartment in Salem, Massachusetts. She applied to rent the apartment, was accepted, and, on July 7, she entered into a lease with the owner. That same day, Ms. O’Neil obtained an order of protection against the father of her children prohibiting him from coming near her or her residence. On July 11, the apartment

⁷ “Ronda” was interviewed and assisted by the ACLU Women’s Rights Project.

⁸ *Winsor v. Regency Prop. Mgmt., Inc.*, No. 94 Civ. 2349 (Wis. Cir. Ct., Dane Co., Oct. 2, 1995).

owner learned of the protective order, and, the next day, decided no longer to rent to Ms. O'Neil.⁹

Beverly Cox in Rochester, New York

In the mid-1980's, a Rochester-based realty management company denied Ms. Cox housing because she was a battered wife whose divorce was not final. In a letter to Cox, the company's regional manager said that the company did not want to inherit "the disruption in our community that has been caused by the physical feuding that has characterized your past rental history."¹⁰

Karen in the Bronx, New York*

In early 2003, Karen signed a two-year lease on an apartment in the Bronx. Her husband, though not a signatory on the lease, resided with her and paid half the rent. In mid-November 2003, Karen's husband assaulted her. She immediately obtained an order of protection excluding her husband from the apartment. In late January 2004, Karen's former husband broke into her apartment building and brutally assaulted her. (The beating was recorded on the building's security camera.) Afterward, she called the police, but the police were unable to find and apprehend her abuser. The police advised her to stay away from her apartment until he was caught. Karen has fled to and now resides in a domestic violence shelter. Since she cannot return to her apartment, she has been trying to get out of the remainder of her lease without destroying her good rental history. She thought she came to an agreement with her landlord, but he changed his mind and has taken her to housing court to try to hold her to the rest of the lease.

⁹ *O'Neil v. Karahlais*, 13 M.D.L.R. 2004 (Mass. Comm'n Against Discrim. Oct. 21, 1991).

¹⁰ Kate Phillips, "Judge Rules Woman Victim of Bias," *Rochester Times-Union*, Nov. 6, 1986.