

114TH CONGRESS
2D SESSION

H. R. 6211

To provide protection for survivors of domestic violence or sexual assault
under the Fair Housing Act.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2016

Ms. WASSERMAN SCHULTZ (for herself, Mr. SMITH of Texas, Ms. NORTON, Mrs. NAPOLITANO, Mr. GRAYSON, Mrs. WATSON COLEMAN, Ms. CLARK of Massachusetts, Ms. MENG, Ms. EDWARDS, Ms. WILSON of Florida, Mrs. LAWRENCE, Ms. VELÁZQUEZ, Ms. BROWNLEY of California, Mr. CICILLINE, Mr. RYAN of Ohio, Ms. MOORE, Mr. MURPHY of Florida, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. GRIJALVA, Mr. HASTINGS, Mr. CÁRDENAS, Mr. VAN HOLLEN, Mr. RANGEL, Mr. BERA, Mr. DESAULNIER, Mr. HINOJOSA, Mr. JEFFRIES, Mr. POCAN, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Ms. PINGREE, and Ms. KELLY of Illinois) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide protection for survivors of domestic violence or
sexual assault under the Fair Housing Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair Housing for Do-
5 mestic Violence and Sexual Assault Survivors Act of
6 2016”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Cities, towns, and rural communities in the
4 United States continue to face enormous challenges
5 regarding domestic violence, sexual assault, dating
6 violence, stalking, and other forms of intimate part-
7 ner violence.

8 (2) One in 3 women have experienced rape,
9 physical violence, or stalking by an intimate partner
10 in their lifetime.

11 (3) Approximately 7,000,000 women are raped
12 or physically assaulted by a current or former inti-
13 mate partner each year.

14 (4) Each day, an average of 3 women are killed
15 by a current or former partner.

16 (5) Researchers estimate that domestic violence
17 costs employers up to \$13,000,000,000 each year.

18 (6) A fundamental component of ending domes-
19 tic and sexual violence is securing safe and afford-
20 able housing for victims.

21 (7) Research indicates that—

22 (A) nearly 50 percent of all homeless
23 women report that domestic violence was the
24 immediate cause of their homelessness;

1 (B) 92 percent of homeless women report
2 having experienced severe physical or sexual vi-
3 olence at some point in their lives; and

4 (C) victims become homeless as a result of
5 sexual assault, and once homeless, they are fur-
6 ther vulnerable to sexual victimization and ex-
7 ploitation.

8 (8) Surveys show that a majority of victims
9 that experience a sexual assault in their home do not
10 relocate to a safe environment because they do not
11 have sufficient funds, and are not aware of better
12 options.

13 (9) Domestic and sexual violence victims often
14 find themselves trapped in homes where they are
15 further victimized by caregivers, parents, siblings,
16 landlords, intimate partners, neighbors, or others in
17 or near their home. Economic insecurity and the
18 trauma that often follows sexual assault make it dif-
19 ficult, if not impossible, for many victims to access
20 safe, affordable housing options for themselves and
21 their families.

22 (10) Domestic and sexual violence victims con-
23 tinue to face discrimination in securing and main-
24 taining housing based on their status as victims and
25 as a result of crimes committed against them.

1 (11) Research by the Attorney General of the
2 State of New York found that 67 percent of domes-
3 tic violence victims reported that discrimination by
4 landlords is a significant obstacle in obtaining hous-
5 ing.

6 (12) Research also shows that victims of domes-
7 tic violence or sexual assault are commonly denied
8 housing opportunities if a previous residence of the
9 victim was a domestic violence shelter, if the victim
10 has secured a protective order, or if there is other
11 evidence that the victim has experienced a previous
12 domestic violence incident.

13 (13) Studies show that victims of domestic vio-
14 lence or sexual assault often face eviction based on
15 a single domestic violence incident.

16 (14) It is in the public interest that victims of
17 domestic violence, sexual assault, dating violence,
18 stalking, and other forms of intimate partner vio-
19 lence are not discriminated against, particularly with
20 respect to housing, based on their status as victims
21 or the crimes committed against them.

22 (15) Nothing in this Act should be interpreted
23 to limit the ability of victims of domestic violence or
24 sexual assault to recover for claims of discrimination
25 on the basis of sex or race under the Fair Housing

1 Act (42 U.S.C. 3601 et seq.), including with respect
2 to failure to conform to gender stereotypes or poli-
3 cies that disproportionately affect women.

4 **SEC. 3. SURVIVORS OF DOMESTIC VIOLENCE OR SEXUAL**
5 **ASSAULT AS PROTECTED CLASS UNDER THE**
6 **FAIR HOUSING ACT.**

7 (a) IN GENERAL.—The Fair Housing Act (42 U.S.C.
8 3601 et seq.) is amended—

9 (1) in section 802 (42 U.S.C. 3602), by adding
10 at the end the following:

11 “(p) ‘Domestic violence’—

12 “(1) has the meaning given the term in section
13 40002(a) of the Violence Against Women Act of
14 1994 (42 U.S.C. 13925(a)); and

15 “(2) includes—

16 “(A) dating violence and stalking, as de-
17 fined in such section 40002(a); and

18 “(B) threatened domestic violence.

19 “(q) ‘Sexual assault’—

20 “(1) has the meaning given the term in section
21 40002(a) of the Violence Against Women Act of
22 1994 (42 U.S.C. 13925(a)); and

23 “(2) includes threatened sexual assault.”;

24 (2) in section 804 (42 U.S.C. 3604)—

1 (A) in subsection (a), by inserting “, or be-
2 cause the person is a survivor of domestic vio-
3 lence or sexual assault” before the period at the
4 end;

5 (B) in subsection (b), by inserting, “, or
6 because the person is a survivor of domestic vio-
7 lence or sexual assault” before the period at the
8 end;

9 (C) in subsection (c), by striking “or na-
10 tional origin” and inserting, “national origin, or
11 whether a person is a survivor of domestic vio-
12 lence or sexual assault”;

13 (D) in subsection (d), by inserting “, or
14 because the person is a survivor of domestic vio-
15 lence or sexual assault,” after “national origin”;
16 and

17 (E) in subsection (e), by inserting “, or of
18 a person or persons who are survivors of domes-
19 tic violence or sexual assault” before the period
20 at the end;

21 (3) in section 805 (42 U.S.C. 3605)—

22 (A) in subsection (a), by inserting “, or be-
23 cause the person is a survivor of domestic vio-
24 lence or sexual assault” before the period at the
25 end; and

1 (B) in subsection (c), by striking “or fa-
2 milial status” and inserting “familial status, or
3 whether a person is a survivor of domestic vio-
4 lence or sexual assault”;

5 (4) in section 806 (42 U.S.C. 3606), by striking
6 “or national origin” and inserting “national origin,
7 or whether a person is a survivor of domestic vio-
8 lence or sexual assault”;

9 (5) in section 807 (42 U.S.C. 3607), by adding
10 at the end the following:

11 “(c) Nothing in this title shall prohibit Federal,
12 State, or local governmental or other assistance or a pref-
13 erence program designed to assist or benefit domestic vio-
14 lence or sexual assault survivors in seeking, securing, or
15 maintaining dwellings, shelters, or any other form of hous-
16 ing, including associated notices, statements, or advertise-
17 ments.”; and

18 (6) in section 808(e)(6) (42 U.S.C. 3608(e)(6)),
19 by inserting “status as a survivor of domestic vio-
20 lence or sexual assault,” after “handicap,”.

21 (b) PREVENTION OF INTIMIDATION IN FAIR HOUS-
22 ING CASES.—The Civil Rights Act of 1968 (42 U.S.C.
23 1301 et seq.) is amended—

24 (1) in section 901—

1 (A) in subsection (a), by inserting “, or be-
 2 cause the person is a survivor of domestic vio-
 3 lence or sexual assault,” after “national origin”;

4 (B) in subsection (b)(1), by inserting “or
 5 because the person is a survivor of domestic vio-
 6 lence or sexual assault,” after “national ori-
 7 gin,”; and

8 (C) in subsection (c), by inserting “or be-
 9 cause the person is a survivor of domestic vio-
 10 lence or sexual assault,” after “national ori-
 11 gin,”; and

12 (2) by inserting after section 901 the following:

13 **“SEC. 902. DEFINITIONS.**

14 “In this title, the terms ‘domestic violence’ and ‘sex-
 15 ual assault’ have the meanings given those terms in sec-
 16 tion 802.”.

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