

How can I further protect myself?



Use a Post Office Box for your forwarding address.

- Your landlord can't intentionally give your forwarding address to the person you fear. However, your landlord may disclose your forwarding address for regular business purposes.
- The person you fear may be able to get your new address by either having someone else ask for it or by asking for it from someone your landlord is allowed to release your address to.



Use a public record, like a court order, instead of a qualified third party report to document your fear.

- Using a public record that the abuser knows about may reduce the risk that the abuser will retaliate against you for disclosing the abuse.
- The documentation you give your landlord may be used by the person you fear or others in a legal action, such as a criminal, divorce or PPO case. Using a public record will help you protect the privacy of your communications with professionals helping you.



Sample Materials

Sample Letter to Your Landlord

"I am a tenant at [location]. I have a reasonable apprehension of present danger to [myself or my child] from [domestic violence, stalking, or sexual assault]. This is notice that I am seeking an early release of my rental obligation under MCL 554.601b. I was recently assaulted in my unit and obtained a [court order, etc.] against that individual. A copy of this documentation is enclosed."

Sample Third Party Report

Please visit <http://bit.ly/mplp-form-lr> for a sample report. Simply print the report and fill it out with your qualified third party.

The Law: MCL 554.601b

You may read the Lease Release Law at <http://legislature.mi.gov/doc.aspx?mcl-554-601b>.

Resources

- To find a local domestic violence agency—
1-800-799-SAFE (7233)
National Domestic Violence Hotline
www.mcadsv.org
Michigan Coalition Against Domestic & Sexual Violence
www.michigan.gov/domesticviolence
Michigan Domestic Violence Prevention & Treatment Board
- For victims of sexual assault and stalking—
1-800-656-HOPE (4673); www.rainn.org
The Rape, Abuse and Incest National Network (RAINN)
www.nsvrc.org
National Sexual Violence Resource Center

MOVING TO SAFER HOUSING: Early Lease Termination

for Survivors of Domestic Violence, Sexual Assault & Stalking



What is Michigan's Lease Release Law?

Prepared by Michigan Poverty Law Program | www.mplp.org



Michigan's *Lease Release Law* is a state law that allows tenants who fear domestic violence, sexual assault or stalking to end their lease early to move to a safe location without having to pay rent through the end of the lease.

This law applies only if you entered into, renewed or renegotiated your lease after **October 5, 2010**.

How can I get an early release from my lease?

To end your lease early, you *must* send your landlord:

- Written notice that you need to end your lease early because you or your child may be in danger;
- AND**
- A copy of a document showing why you or your child are at risk if you stay in your home.

A child is either a minor (under age 18) or an adult child who is legally incapacitated.

Both items *must* be sent by **certified mail**.

For a sample letter, see the *Sample Materials*.

What kind of Documentation do I need?

The lease release law says that the following documents are acceptable:

- A court order that protects you or your child from the person you fear.
Such orders include:
 - A personal protection order (PPO) from Michigan (or a similar protection order from another state);
 - An order in a child protection case removing the person you fear from your and your child's home;
 - A "no-contact" order that says the person you fear cannot have contact with you (such as a probation order, conditional release order or parole order).
- A police report **if** charges were filed against the person you fear *no more* than 14 days before you send notice to your landlord.
- A police report **if** charges were filed against the person you fear more than 14 days before you send your notice **AND** a report from a *qualified third party* that confirms the present danger to you.



Who is a qualified third party?

A qualified third party is one of the following:

- A sexual assault or domestic violence counselor.
- A licensed health professional: *examples:* a doctor, nurse or psychiatrist.
- A mental health professional: *examples:* a counselor, therapist or psychologist.
- A clergy member affiliated with a tax exempt religious institution that is listed in a telephone directory.

What happens after I notify my landlord?

After you send your landlord written notice and documentation, you will not have to pay rent beginning on the first day of the **second month** rent is due. In other words, *you are responsible for the month you give notice and the month after that.*

Important: Your release is not effective until you move out of the rental unit. *Example:* You give your landlord notice in January and move out before the end of the month. You are responsible for **only** January and February's rent.

Any rent you prepaid, such as the first and last months' rent, will *not* be returned to you. Also, your landlord may withhold your security deposit as permitted by law.

If there are other tenants on your lease, your release does not release them.