

New Jersey Court Says Disorderly Conduct Is “Criminal Activity” Adequate to Justify Eviction

The issue before the New Jersey Superior Court, Appellate Division in *Housing & Redevelopment Authority of Franklin v. Miller*⁶⁶ was whether a disorderly conduct offense met the definition of “criminal activity” in the one-strike law and therefore could serve as the basis of a public housing eviction under the law, or alternately, whether such an eviction required proof of a “crime” as defined in the state criminal code. Noting that the “criminal activity” is “not the customary method of describing or defining a non-civil offense,”⁶⁷ the court held that Congress intended the phrase to have a broad meaning, and to “include conduct that we, and other states, define as disorderly or petty disorderly offenses.”⁶⁸

The court found support for its holding in the domestic violence exception contained in the one-strike law, which provides that the law will not apply to domestic violence-related activity if the perpetrator is a victim of such violence.⁶⁹ Because Congress was surely aware that several states define domestic violence-related offenses as disorderly and petty disorderly offenses, the court reasoned, “the statutory exception clearly indicates that offenses of this nature were intended to come within the category of ‘criminal activity’ justifying eviction.”⁷⁰ The court acknowledged that Congress did place a limitation on the meaning of “criminal activity,” insofar as it must involve conduct that threatens the health or safety of other tenants, or their right to peaceful enjoyment, but concluded that the tenant’s simple assault, even though classified as a petty offense, met this standard and therefore could serve as the basis for her one-strike eviction.⁷¹

Conclusion

While recent cases interpreting *Rucker* in the context of state laws do not fit into any neat patterns, it is clear that in almost all instances where this precedent arises, the tenant faces an uphill battle in defending an eviction action. While the state courts appear to have mixed reactions regarding the basic fairness of strict liability evictions—several decisions appear to hint that were the court in the PHA’s position, it would not necessarily choose to pursue eviction under the circumstances—there appears to be a near-consensus that *Rucker* has limited the authority of the courts to override the discretion exercised by the

PHA in pursuing these evictions. But when the exceptions do occur, they are in cases such as *Cuyahoga Metropolitan Housing Authority v. Harris*, where the facts are particularly compelling and the court is exercising its equitable powers. ■

State and Local Housing Protections for Domestic Violence Victims Gaining Momentum

By now, many advocates are familiar with the protections that the Violence Against Women Act (VAWA) affords survivors of domestic violence, dating violence, and stalking who are applying to or participating in the public housing, tenant-based Section 8, and project-based Section 8 programs. VAWA provides that applicants for these programs cannot be rejected on the basis of their status as victims of abuse, and that participants in these programs cannot be evicted or have their assistance terminated based on acts of abuse committed against them.¹

Unfortunately, VAWA does not cover several categories of survivors—namely, participants in the other housing subsidy programs of the Department of Housing and Urban Development (HUD), the Low-Income Housing Tax Credit program administered through the Internal Revenue Service, or programs administered by the Department of Agriculture’s Rural Development office, not to mention tenants in unsubsidized private housing. Further, VAWA fails to address several issues that survivors regularly encounter, such as the need to change their apartment’s locks or to break a lease to flee an abuser. As a result, advocates throughout the country are lobbying for or implementing a variety of state and local housing protections for domestic violence survivors. These efforts build upon the recent movement within the domestic violence and housing advocacy communities to address obstacles survivors often face in maintaining housing, such as being evicted for calling the police or because the batterer caused a noisy disturbance at the dwelling.

¹42 U.S.C. §§ 1437d(c)(3), 1437d(l)(5), 1437f(c)(9)(A)-(B), 1437f(o)(6)(B), 1437(o)(7)(C).

⁶⁶935 A.2d 1197 (N.J. Super. Ct. App. Div. 2007).

⁶⁷*Id.* at 1200.

⁶⁸*Id.* at 1201.

⁶⁹42 U.S.C. § 1437d(l)(6) (West, Westlaw, Current through P.L. 110-284 (excluding P.L. 110-234, 110-246, and 110-275) approved 7-23-08).

⁷⁰935 A.2d at 1202.

⁷¹See also *Mayes v. Hernandez*, 856 N.Y.S.2d 25 (N.Y. Sup. Ct. Dec. 6, 2007) (upholding termination of public housing tenancy where the tenant violated her lease by allowing her sons to sell drugs from the unit and by allowing husband, who was a sex offender, to reside without PHA permission).

Specific Types of Legislation

Examples of state and local domestic violence housing protections include laws that: (1) prohibit housing discrimination based on an applicant's or tenant's status as a survivor of domestic violence; (2) provide an eviction defense where the landlord tries to evict the victim because the abuser committed a crime or lease violation at the rental unit; (3) bar landlords from limiting a tenant's right to call for police or emergency assistance; (4) require landlords to change locks where tenants have provided documentation of domestic violence; and (5) permit early lease termination without further obligation to pay the rent where tenants provide landlords with documentation of domestic violence.² Each category of these laws is discussed in detail below.

Nondiscrimination Laws

Nondiscrimination laws prohibit a landlord from terminating a tenancy, failing to renew a tenancy, or refusing to enter into a rental agreement based on the tenant's or applicant's status as a victim of domestic violence. Rhode Island, the District of Columbia, and Westchester County (New York) have achieved this result by amending their existing fair housing laws to include victims of domestic violence as a protected class.³ Arkansas, Indiana, North Carolina, and Washington have added provisions to their landlord-tenant codes barring denials of housing or evictions based on a person's status as a victim of domestic violence.⁴

A nondiscrimination provision is currently pending in San Francisco,⁵ and Vermont recently passed a law creating a commission to study housing discrimination against victims of domestic violence.⁶ Nondiscrimination laws have failed in recent years in California,⁷ Florida,⁸ Hawaii,⁹ Massachusetts,¹⁰ and New York¹¹ due in part to opposition from realtors' groups and apartment owners' associations. Even in jurisdictions that do not have specific protections for

domestic violence victims unprotected by VAWA, denials of housing and evictions that are based on an applicant's or tenant's status as a domestic violence victim may be challenged under federal and state fair housing laws.¹²

Eviction Defenses

Domestic violence victims are often threatened with eviction due to criminal acts committed at their rental units by their abusers. In response, several jurisdictions have enacted laws providing an eviction defense where the landlord tries to evict the victim because the abuser committed a crime, lease violation, or dangerous act at the rental unit.¹³ To invoke these laws, the victim must provide written documentation of the domestic violence, usually a police report or restraining order. For example, Colorado's law provides that

[i]t shall not constitute an unlawful detention of real property . . . if the tenant or lessee is the victim of domestic violence . . . which domestic violence or domestic abuse was the cause of or resulted in the alleged unlawful detention and which domestic violence or domestic abuse has been documented by the following: (I) A police report; or (II) A valid civil or emergency protection order.¹⁴

Again, even without explicit defenses for those domestic violence victims unprotected by VAWA, federal housing program regulations, or state or local law, advocates may still be able to raise a fair housing defense for those facing evictions that are related to acts of violence committed against them.

Right to Call Police

Six jurisdictions have laws prohibiting landlords from limiting a tenant's right to call a peace officer or emergency assistance.¹⁵ Such laws ensure that domestic violence victims may summon police to their rental units in response to incidents of abuse without being penalized by their landlords. Several of these laws provide that a tenant's right to call for emergency assistance is nonwaivable.¹⁶

²Legal Momentum and the National Law Center on Homelessness and Poverty have created helpful charts summarizing state laws that affect domestic violence survivors' housing rights. See Legal Momentum, *Housing Protections for Victims of Domestic and Sexual Violence* (Aug. 2007), <http://www.legalmomentum.org/site/DocServer/housing.pdf?docID=381>; National Law Center on Homelessness and Poverty, *State Laws and Legislation to Ensure Housing Rights for Survivors of Domestic and Sexual Violence* (Mar. 2008), http://www.nlchp.org/content/pubs/DV_Housing_State_Laws_Mar%20_20082.pdf.

³D.C. CODE § 2-1401.01 (2007); R.I. GEN. LAWS § 34-37-1 (2007); WESTCHESTER COUNTY CODE § 700.05 (2005).

⁴ARK. CODE ANN. § 18-16-112 (2007); IND. CODE ANN. § 32-31-9-8 (West 2007); N.C. GEN. STAT. ANN. § 42-42.2 (West 2007); WASH. REV. CODE ANN. § 59.18.580 (West 2007).

⁵Residential Rent Ordinance: Tenant Rights for Victims of Domestic Violence or Stalking (proposed June 8, 2008).

⁶S. 357, 2007 Gen. Ass., Reg. Sess. (Vt. 2008).

⁷S.B. 1745, 2005 Leg., Reg. Sess. (Cal. 2005).

⁸S.B. 1408, H.B. 931, 2008 Leg., Reg. Sess. (Fla. 2008).

⁹S.B. 2208, H.B. 2762, 2008 Leg., Reg. Sess. (Haw. 2008).

¹⁰S. 2574, 185th Gen. Ct., Reg. Sess. (Mass. 2008).

¹¹A. 5916, S. 3072, 2007 Leg., Reg. Sess. (N.Y. 2007).

¹²See, e.g., *Bouley v. Young-Sabourin*, 394 F. Supp. 2d 675 (D. Vt. 2005); *Winston v. Regency Property Mgmt.*, No. 94 CV 2349 (Wis. Cir. Ct. Oct. 2, 1995); *HUD v. CBM Group, Inc., et al.*, HUDALJ 10-99-0538-8, Charge of Discrimination (2001).

¹³COLO. REV. STAT. ANN. §§ 13-40-104, 13-40-107.5 (West 2007); D.C. CODE § 42-3505.01 (2007); IOWA CODE ANN. §§ 562A.27A, 562B.25A (West 2007); LA. REV. STAT. ANN. § 40:506 (2007) (applies to housing authorities only); N.M. STAT. ANN. § 47-8-33 (West 2007); VA. CODE ANN. § 55-248.31 (West 2007); WASH. REV. CODE ANN. 59.18.580 (West 2007).

¹⁴COLO. REV. STAT. ANN. § 13-40-104 (West 2007).

¹⁵ARIZ. REV. STAT. ANN. § 33-1315 (2007); COLO. REV. STAT. ANN. § 38-12-402 (West 2007); D.C. CODE § 2-1402.21 (2007); MINN. STAT. § 504B.205 (West 2007); TEX. PROP. CODE ANN. § 92.015 (Vernon 2007); WIS. STAT. ANN. 704.44 (West 2008).

¹⁶See, e.g., COLO. REV. STAT. ANN. § 38-12-402 (West 2007); D.C. CODE § 2-1402.21 (2007); MINN. STAT. § 504B.205 (West 2007); TEX. PROP. CODE ANN. § 92.015 (Vernon 2007).

Lock Changes

As part of basic safety planning, many domestic violence survivors need to change their locks to prevent abusers from regaining access to the home. Ten jurisdictions have laws requiring the landlord to change the locks or permitting the domestic violence survivor to do so.¹⁷ Most states require the survivor to provide documentation of domestic violence. In cases where the survivor and perpetrator are cotenants, the survivor is typically required to provide the landlord with a copy of a restraining order barring the perpetrator from the dwelling. Several states require landlords to act on the tenant's request within a short period of time, such as within one to five days. The survivor usually must pay for changing the locks, although in many states these costs may be covered by victims' compensation funds, and restraining orders may contain provisions ordering perpetrators to pay these costs.

Early Lease Termination

To escape an abusive relationship, a domestic violence survivor may need to terminate her lease early and flee to a confidential location. However, some survivors may delay leaving for fear that they will face substantial penalties for breaking their leases. To assist survivors to move to safer homes, fourteen jurisdictions have statutes permitting a tenant who is a survivor of domestic violence to terminate a lease early.¹⁸ New Jersey¹⁹ is currently considering a similar provision. The majority of these statutes were enacted within the past five years, and several became effective in 2007.

The laws require the tenant to provide proof of domestic violence, usually in the form of a restraining order or a police report. Some jurisdictions also permit the tenant to verify the domestic violence by providing a signed statement from a qualified party, such as an attorney, licensed health professional, or social services provider.²⁰ Several jurisdictions specify the time period in which the tenant can request lease termination, usually within thirty to ninety days after the restraining order, police report,

or other documentation was issued.²¹ Most statutes also specify the notice period that the tenant must give to the landlord before the lease termination becomes effective, which ranges from three to thirty days.²² The tenant can vacate the unit before the notice period expires, but is responsible for rent until the expiration date. Several jurisdictions provide that existing law governing return of the security deposit still applies, regardless of the survivor's early termination of the lease.²³

A common issue that arises when these laws are developed is cotenants' continued obligations under the lease once the domestic violence survivor leaves the rental unit. Several states provide that cotenants are not released from their obligations under the rental agreement.²⁴ In contrast, Arizona law provides that when a survivor obtains an early lease termination, the tenancy terminates for all cotenants, although remaining tenants may be permitted to enter into a new lease with the landlord.²⁵ New York has dealt with the issue by requiring the survivor to obtain a court order to terminate the lease, and permitting the court to sever a cotenancy if there are tenants on the lease other than the survivor.²⁶

Common Obstacles to These Laws

In many jurisdictions, realtors' organizations and apartment associations have strongly opposed housing protections for domestic violence survivors. It is therefore crucial for advocates to become familiar with the arguments that are typically raised against these laws, and to work with the opposition throughout the legislative process. A common area of dispute is the type of documentation that will be required to prove domestic violence. In California, landlord groups opposed the state's proposed early lease termination legislation because it would have permitted tenants to document domestic violence by

¹⁷See, e.g., ARIZ. REV. STAT. ANN. § 33-1318 (2007); ARK. CODE ANN. § 18-16-112 (2007); D.C. CODE § 42-3505.08 (2007); 765 ILL. COMP. STAT. ANN. 750/20 (West 2007); IND. CODE ANN. §§ 32-31-9-9, 32-31-9-10, 32-31-9-11 (West 2007); N.C. GEN. STAT. § 42-42.3 (West 2007); OR. REV. STAT. ANN. § 90.459 (2007); UTAH CODE ANN. § 57-22-5.1 (West 2007); VA. CODE ANN. §§ 55-225.5, 55-248.18:1 (2007); WASH. REV. CODE ANN. § 59.18.585 (West 2007).

²²See, e.g., DEL. CODE ANN. TIT. 25, § 5314; D.C. CODE § 42-3505.07; 765 ILL. COMP. STAT. ANN. 750/15 (West 2007); IND. CODE ANN. § 32-31-9-12 (West 2007); N.Y. REAL PROP. LAW § 227-c (McKinney 2007); N.C. GEN. STAT. § 42-45.1 (West 2007); OR. REV. STAT. ANN. § 90.453 (West 2007). The Sargent Shriver National Center on Poverty Law has prepared sample lease termination notices and tenants' rights brochures to be used with Illinois' law, but could be adapted for use in other states. The documents are available at <http://www.povertylaw.org/advocacy/women-and-family/safe-homes-act>.

²³See, e.g., ARIZ. REV. STAT. ANN. § 33-1318 (2007); COLO. REV. STAT. ANN. § 38-12-402 (West 2007); IND. CODE ANN. § 32-31-9-12 (West 2007); WASH. REV. CODE ANN. § 59.18.575 (West 2006).

²⁴See, e.g., IND. CODE ANN. § 32-31-9-13 (West 2007); N.C. GEN. STAT. § 42-45.1 (West 2007); OR. REV. STAT. ANN. § 90.453 (West 2007); WASH. REV. CODE ANN. § 59.18.575 (West 2006).

²⁵ARIZ. REV. STAT. ANN. § 33-1318 (2007).

²⁶N.Y. REAL PROP. LAW § 227-c (McKinney 2007). A sample petition requesting a court to sever a domestic violence victim's cotenancy and terminate the survivor's obligation to pay rent is available at <http://www.nycourts.gov/forms/familycourt/pdfs/gf-38.pdf>.

¹⁷ARIZ. REV. STAT. ANN. § 33-1318 (2007); ARK. CODE ANN. § 18-16-112 (2007); D.C. CODE § 42-3505.08 (2007); 765 ILL. COMP. STAT. ANN. 750/20 (West 2007); IND. CODE ANN. §§ 32-31-9-9, 32-31-9-10, 32-31-9-11 (West 2007); N.C. GEN. STAT. § 42-42.3 (West 2007); OR. REV. STAT. ANN. § 90.459 (2007); UTAH CODE ANN. § 57-22-5.1 (West 2007); VA. CODE ANN. §§ 55-225.5, 55-248.18:1 (2007); WASH. REV. CODE ANN. § 59.18.585 (West 2007).

¹⁸ARIZ. REV. STAT. ANN. § 33-1318 (2007); COLO. REV. STAT. ANN. 38-12-402 (West 2007); DEL. CODE ANN. TIT. 25, § 5314 (2007); A.B. 2052, 2007 Leg., Reg. Sess. (Cal. 2008); D.C. CODE § 42-3505.07 (2007); 765 ILL. COMP. STAT. ANN. 750/15 (West 2007); IND. CODE ANN. §§ 32-31-9-12, 32-31-9-13 (West 2007); MINN. STAT. ANN. § 504B.206 (West 2007); N.Y. REAL PROP. LAW § 227-c (McKinney 2007); N.C. GEN. STAT. § 42-45.1 (West 2007); OR. REV. STAT. ANN. § 90.453 (West 2007); TEX. PROP. CODE ANN. § 92.016 (Vernon 2007); WASH. REV. CODE ANN. § 59.18.575 (West 2006); WIS. STAT. ANN. § 704.16 (West 2008).

¹⁹A-2871, 213th Leg., Reg. Sess. (N.J. 2008).

²⁰See, e.g., D.C. CODE § 42-3505.07 (2007); OR. REV. STAT. ANN. § 90.453 (West 2007); WASH. REV. CODE ANN. § 59.18.575 (West 2006).

obtaining a written statement from an attorney, medical professional, or domestic violence service provider.²⁷ The groups claimed that this documentation could be fabricated, and the bill's author amended the bill by requiring a tenant to provide either a police report or restraining order. Although this amendment has reduced some opposition to the bill, it may have the effect of denying protection to victims who are unable to access the police or courts due to language barriers, disability, or fear of retaliation.

Landlord groups and advocates may need to negotiate whether the domestic violence victim will be required to pay a fee to break a lease.

Another common area of dispute is the landlord's right to evict the batterer. Landlord groups may argue that if they going to be are barred from evicting domestic violence victims or required to release victims from their leases, they should be entitled to summary procedures permitting them to terminate the tenancy of perpetrators who are cotenants of the victims. Wisconsin's early lease termination law includes such a provision, which permits a landlord to issue a five-day notice to vacate if a tenant poses an imminent threat of harm to other tenants and has been named in a restraining order or criminal complaint.²⁸ Although the need to evict a perpetrator who has threatened or disturbed the enjoyment of other tenants is understandable, advocates should be wary of proposals that would reduce the protections provided by the jurisdiction's existing unlawful detainer procedures. Such proposals can usually be opposed on the basis that tenants who threaten or disturb the enjoyment of other tenants can already be evicted for lease violations or for constituting a nuisance under existing landlord-tenant laws.

Money is also a common area of dispute, particularly with regard to early lease termination legislation. Landlord groups and advocates may need to negotiate whether the domestic violence victim will be required to pay a fee to break a lease. In Minnesota, for example, a domestic violence victim breaking a lease "is responsible for the rent payment for the full month in which the tenancy terminates and an additional amount equal to one month's rent."²⁹ Such provisions restrict the ability of low-income victims to use early lease termination laws. Other areas of negotiation will likely include whether tenants using

early lease termination laws will be entitled to return of their security deposits, and whether tenants owing back rent will be permitted to use such laws.

Advocacy Approaches

Advocates have employed several approaches to secure passage of housing protections for domestic violence survivors. As already noted, it is essential to work with realtors' groups and apartment associations in

California Enacts Early Lease Termination Law

On September 27, California Governor Arnold Schwarzenegger signed Assembly Bill 2052, which authorizes tenants who are victims of domestic violence, stalking, and sexual assault to terminate their private or subsidized housing leases and be discharged from their rent obligations thirty days after providing written notice to the landlord.¹ To prove that he or she is a victim of domestic violence, stalking, or sexual assault, the tenant must attach a police report or restraining order to the notice. The notice to terminate the tenancy must be given within sixty days of the date the restraining order was issued or the police report was made. Existing law governing security deposits still applies. Additionally, any remaining tenants in the unit are not released from their obligations under the lease, except for the victim's family members. The bill became effective immediately.

Realtor and apartment owner lobbies threatened to oppose the bill if it did not contain a provision stating that a tenant who is a perpetrator of domestic violence, sexual assault, or stalking may be deemed to have committed a nuisance. As a concession to these groups, the bill provides that if a person commits an act of domestic violence, stalking, or sexual assault against another tenant on the premises, there is a rebuttable presumption that the perpetrator of the abuse has committed a nuisance.² Due to concerns that victims living with their abusers may face retaliation if the abuser is served with eviction papers based on acts of domestic violence, the presumption applies only if the victim has vacated the premises. The provision is subject to a three-year sunset clause.

¹A.B. 2052, 2007 Leg., Reg. Sess. (Cal. 2008) (to be codified at Cal. Civ. Code § 1946.7).

²A.B. 2052, 2007 Leg., Reg. Sess. (Cal. 2008) (to be codified at Cal. Proc. Code § 1161).

²⁷See Assembly Judiciary Committee, AB2052 Analysis at 4-5 (Mar. 25, 2008), http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_2051-2100/ab_2052_cfa_20080324_114005_asm_comm.html.

²⁸Wis. STAT. ANN. § 704.16 (West 2008).

²⁹MINN. STAT. ANN. § 504B.206 (West 2007).

developing this legislation. Other important collaborators include law enforcement, district attorney's associations, civil rights organizations, and fair housing groups. As with any type of legislation, policymakers will want proof that there is a need for these protections, so it is critical to gather client stories and, if possible, data on evictions and denials of housing resulting from domestic violence. It is also necessary to educate policymakers regarding the link between domestic violence and homelessness and to explain that a safe and stable home is crucial to ending the cycle of violence.³⁰ Agencies that cannot participate in legislative advocacy due to Legal Services Corporations restrictions can still play a valuable role by reviewing proposed legislation to ensure that it is consistent with existing landlord-tenant and family law statutes and by providing anecdotal information. Finally, the experiences of advocates in the growing number of states that have these protections can be invaluable in drafting language, developing strategy, creating outreach materials, and responding to opposition arguments. ■

Congress Considers Protection for Tenants Victimized by Foreclosures

In a 2007 letter to Barney Frank, Chairman of the House of Representatives' Committee on Financial Services, Federal Reserve Chairman Ben Bernanke responded to Mr. Frank's inquiries regarding the impact of foreclosures on tenants by stating that: "[these] interactions are governed by state laws, and are not an area in which the Federal Reserve has regulatory authority".¹ Mr. Bernanke then "encourage[d] the Congress . . . to give this problem appropriate consideration and explore whether legislative or regulatory changes are called for to better protect responsible consumers."²

Congress is now considering just such changes. Identical federal bills, titled the "Protecting Tenants at Foreclosure Act of 2008," were introduced in the United States House on May 5, 2008 and in the Senate on May 19, 2008.³

These bills are intended to mitigate the disruptive impacts of foreclosure-induced evictions on families that, in most cases, did nothing to precipitate the mortgage default. Testimony at a July 23, 2008, briefing on Capitol Hill⁴ laid out the dramatic and tragic impact of foreclosure on families who often learn their fate when the sheriff or an agent of a foreclosure sale purchaser appears at their door demanding immediate possession. Hinting at the sheer numbers of families involved, a recent survey by the National Low Income Housing Coalition (NLIHC) found that, in 2007, 25% of foreclosed single family homes in California were renter occupied, 35% of the nearly 14,000 foreclosure filings in Chicago involved two- to six-unit buildings, and that 60% of the 15,000 filings in New York City were on multi-unit buildings.⁵ A related survey disclosed that only eight states provide over thirty days notice to tenants and require the new owner to use a judicial eviction process.⁶ Eight

¹Letter from Ben Bernanke to Rep. Barney Frank (Oct. 25, 2007), at 1.

²*Id.* at 2.

³Protecting Tenants at Foreclosure Act of 2008, H.R. 5963, 110th Cong. (2008) and S. 3034, 110th Cong. (2008) (hereinafter "the Bills"), respectively sponsored by Reps. Ellison of Minnesota, McCarthy of New York and Capuano of Massachusetts (referred to the House Committee on Financial Services) and by Senators Kerry and Kennedy of Massachusetts (referred to the Committee on Banking, Housing and Urban Affairs).

⁴Organized by the National Low Income Housing Coalition, with participation by SERVE, Inc. (Securing Emergency Resources through Volunteer Efforts), United Way, National Alliance to End Homelessness, the United Conference of Catholic Bishops and the National Housing Law Project, the briefing was attended by approximately eighty Congressional staff, and representatives of media and interested organizations.

⁵NLIHC, Foreclosure's Invisible Victims: Recent Research on the Foreclosure Crisis (July 23, 2008).

⁶NLIHC, Foreclosure and Eviction Practices by State (Draft July 25, 2008).

³⁰The National Housing Law Project has developed sample advocacy letters, fact sheets, and testimony in support of housing protections for domestic violence survivors. To obtain these documents, or for any other information about housing protections for domestic violence victims, contact NHLP Equal Justice Works Fellow Meliah Schultzman at mschultzman@nhlp.org.