

SENATE CONCURRENT RESOLUTION NO. 181

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Judiciary A and the House Committee on Civil Law and Procedure to meet and function as a study committee to study legal issues related to victims of abuse and housing.

WHEREAS, under the Louisiana Equal Housing Opportunity Act, the legislature declares that a person in this state who seeks a place to live should be able to find such housing whenever it is available and that all persons should therefore be able to compete for available housing on an open, fair, and equitable basis, regardless of race, color, religion, sex, handicap, familial status, or national origin; and

WHEREAS, Senate Bill No. 233 of the 2014 Regular Session of the Legislature of Louisiana sought to include in the protected categories of the Louisiana Equal Housing Opportunity Act, victims of domestic abuse; and

WHEREAS, as proposed in the bill:

(1) "Domestic abuse" includes but is not limited to physical or sexual abuse and any offense against the person as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one family or household member against another and abuse of adults as defined in R.S. 15:1503 when committed by an adult child or adult grandchild.

(2) "Family or household member" means a spouse, former spouse, parent, child, stepparent, stepchild, foster parent, foster child, grandparent and grandchild; and

WHEREAS, the legislation proposed that it would be unlawful:

(1) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because the person was a victim of domestic abuse.

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because the person was a victim of domestic abuse.

(3) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on a person being a victim of domestic abuse, or an intention to make any such preference, limitation, or discrimination.

(4) To represent to any person because the person was a victim of domestic abuse that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

(5) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons who was a victim of domestic abuse; and

WHEREAS, the bill proposed that it would be unlawful for any person or other entity whose business includes engaging in residential real estate related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because the person was a victim of domestic abuse; and

WHEREAS, the bill proposed that it would be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, because the person was a victim of domestic abuse; and

WHEREAS, the interrelated nature of domestic abuse and homelessness is undeniable as victims of domestic abuse struggle to find permanent housing after fleeing abusive circumstances; and

WHEREAS, victims of domestic abuse need safe, affordable housing or are forced to return to their abuser or live on the streets, and because women are more likely to be victims of domestic abuse, women and their children are often forced into homelessness; and

WHEREAS, victims of domestic abuse often face unfair eviction and denial of housing; and

WHEREAS, other issues that arise with victims of domestic abuse include maintaining confidentiality to ensure victim safety; the landlord's duty to provide safe housing; the landlord's duty to change the locks at the victim's request; the landlord's duty

to protect victims who are renting from dangerous tenants; the victim's right to have the abusive person evicted, if they live together; and the survivor's right to break the lease without penalty to escape domestic abuse.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby urges and requests that the Senate Committee on Judiciary A and the House Committee on Civil Law and Procedure meet and function as a joint committee to study legal issues related to victims of abuse and housing.

BE IT FURTHER RESOLVED that for purposes of this study the committee shall have all powers otherwise provided by law and by rule of the respective houses, individual and jointly, as well as all powers inherent in legislative committees and that the legislative members thereof shall receive the per diem and mileage provided for committees by the rules of the respective house.

BE IT FURTHER RESOLVED that the committee shall make a written report of its findings to the legislature on or before February 1, 2015, together with any specific proposals for legislation.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES