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House Bill 351 Sponsor Testimony
Civil Justice Committee
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Thank you, Representative Sobecki. Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and members of the Ohio House Civil Justice Committee, I'm grateful for the opportunity to discuss HB 351's simple purpose: to create options for someone who otherwise feels trapped.

Domestic violence is prevalent in Ohio and eliminating it must be a priority for us here in the legislature. In 2017, according to the Ohio BCI (Bureau of Criminal Identification and Investigation), there were roughly 76,000 calls related to domestic disputes, 37,000 of which resulted in charges, and 66,000 offenders reported.¹

We unfairly ask, "Why didn't they leave," when we hear about a domestic violence situation. In at least 46% of Ohio's domestic violence fatality cases, the victim ended the relationship or was in the process of ending the relationship.² Domestic violence is routinely cited as nuisance conduct, leaving victims in the impossible position of risking their housing by calling for help.⁸ A Dayton, Ohio, study found that a barrier to leaving is lack of support from the police and courts in addition to having nowhere to go.³ 99% of domestic violence cases also involve financial

¹ <https://www.ohioattorneygeneral.gov/Files/Reports/Domestic-Violence-Reports/Domestic-Violence-Reports-2017/2017-Offenders-Total-Percentage>; <https://www.ohioattorneygeneral.gov/Files/Reports/Domestic-Violence-Reports/Domestic-Violence-Reports-2017/2017-Domestic-Violence-Incidents-by-County-and-Age>

² Ohio Domestic Violence Network. Ohio DV Fatality Report (2017-2018).

³ Anderson, M.A., Gillig, P.M., Sitaker, M. et al. Journal of Family Violence (2003). "Why Doesn't She Just Leave?": A Descriptive Study of Victim Reported Impediments to Her Safety. Journal of Family Violence, 18: 151. <https://doi.org/10.1023/A:1023564404773>

abuse.⁴ Without financial independence, or the risk of additional loss of financial resources, many fear that homelessness may be their only option if they leave.⁵

The good news is that progress in creating options for victims is being made. Research has shown that one of the most important factors that led women to successfully leaving their abusers was the realization that they had access to resources and support from others.⁶ Other states have taken notice, and 27 currently have early lease termination laws for survivors.⁷

HB 351 is a comprehensive piece of legislation that directly addresses many of these identifiable barriers to safety for victims, while also protecting landlords and their investment.

First, no one should be deterred from calling for help. A call to 911 is not a nuisance, but a chance to save someone's life. HB 351 clarifies that a "nuisance" shall not include service calls to law enforcement relating to domestic violence, eliminating a victim's fear that reporting their abuser could result in the loss of housing.

Secondly, it allows victims of domestic violence, rape, or attempted rape to terminate their lease agreement within 30 days of presenting a landlord with a qualified protection order. Third parties such as law enforcement, health care professionals, employees of the court, mental health professionals, and victim advocates are empowered to create and sign a written report for the victim to present to their landlord.

Thirdly, HB 351 respects landlords, their properties, and their business interests. Landlords can withhold a portion of the deposit for damage to the property caused by the tenant. The tenant-victim would be responsible for rent until departing, and the landlord won't share information about their departure with anyone but those qualifying advocates. In cases where the victim is co-leasing the property, the other person on the lease would still be responsible for the rent.

⁴ Adams, AE. "[Measuring the Effects of Domestic Violence on Women's Financial Well-Being.](#)" Center for Financial Security, May 17, 2011.

⁵ National Coalition Against Domestic Violence (NCADV). <https://ncadv.org/why-do-victims-stay>

⁶ Chang, J. C., Dado, D., Hawker, L., Cluss, P. A., Buranosky, R., Slagel, L., Scholle, S. H. (2010). Understanding turning points in intimate partner violence: Factors and circumstances leading women victims toward change. *Journal of Women's Health*, 19(2), 251-259. doi:10.1089/jwh.2009.1568

⁷ *Housing Rights of Domestic Violence Survivors - A State and Local Law Compendium*. 2017. National Housing Law Project. <https://www.nhlp.org/wp-content/uploads/2018/07/2017-DV-State-and-Local-Housing-Laws-Compendium.pdf>

The lease termination is harm-free, requiring the return of the remainder of their security deposit, and no penalties for early termination. The victim will have at least 21, but no more than 30, days to create a new future for themselves away from abuse. This financial boost and elimination of financial hardship gives victims an opportunity to find a new and safer home.

Ohio must join more than half of the country offering this option to domestic violence victims. Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and members of the Ohio House Civil Justice Committee, we thank you for this opportunity and would be happy to answer any of your questions.