



Tips for Advocates: Housing

Getting out of a Lease

- Secure and stable housing stands as a critical aspect of survivor safety. Some survivors may need help terminating a lease in order to escape abuse or violence. A survivor of family violence ([Texas Property Code §92.016](#)), sexual assault ([Texas Property Code §92.0161](#) and [Texas Penal Code §22.011](#)), and stalking ([Texas Property Code §92.0161](#)) living in a rental property has the right to terminate a lease without penalty. Keep in mind these conditions:
 - If a survivor does not reside with their abuser, they can terminate a lease after providing a 30-days' notice of termination of the lease to the landlord with a temporary ex parte order, a final protective order, or a temporary injunction.
 - If a survivor resides with the abuser, s/he can terminate a lease without a 30-day notice if the survivor possesses a final protective order or a temporary injunction to stop family violence within a divorce.
 - See the specific statutes for documentation and condition requirements. Contact TCFV for case specific technical assistance.
- Check out Texas Law Help's [Right to Break a Lease Q&A](#) and TCFV's Economic Advocacy [Housing Tab](#) for more information and template notices.

Utility Waivers

- Utility waivers are deposit waivers for identified utilities including electricity, gas, and landline telephone, created to assist survivors in establishing service.
- Check out [TCFV's Survivor Resources](#) tab to learn more about which utility companies accept these waivers and who can complete the form.

Eviction

- Eviction is the removal of a tenant from a property; this legal proceeding requires a property owner to go to court to accomplish the eviction. A Notice to Vacate does not stand as a legal document from a court requiring the eviction; instead this Notice typically comes before a formal eviction.
- Contact TCFV for more information on how to support a survivor when faced with an eviction.



Additional Information

- Violence Against Women Act (VAWA) Housing Protections: Protections for victims of domestic violence, sexual assault, sexual abuse of a child, dating violence and stalking were enacted through VAWA and apply to federally funded “covered housing programs.” Public housing authorities, owners and managers of participating covered housing programs must comply with VAWA 2013.
- The public housing authority, owner, and or manager of participating in the covered housing programs may request survivors asserting their VAWA protections as a qualified tenant, participant, applicant, and or affiliated individual be to provide documentation of the victimization.
- Under [Texas Property Code § 92.015](#), a victim of family violence residing in any rental property has the right to seek police and emergency assistance in response to family violence.

Additional Resources

- [Texas Law Help](#) - Assistance in locating local, free legal services providers
- [VAWnet](#) – Online resources and guidance around Housing and Domestic Violence
- [TCFV](#) - Assistance in connecting survivors and advocates to local housing experts in the community if you are encountering difficulty with a property owner not accepting the termination.
Call 512-794-1133.