

Leaving? Staying? Staying safe.



Family Violence

Information for Tenants

Family violence is likely to have an impact on a person's living arrangements. Unfortunately, the *Residential Tenancy Act 1997* only includes two sections that may assist tenants experiencing family violence.

In any situation, if you want to break or terminate your lease check our [Leaving Leases Early fact sheet](#) to understand which options may be available to you.

If you decide to remain in your rental property, you can have the perpetrator taken off the lease. You can also change the locks without requiring the landlord's consent.

AMENDING OR TERMINATING THE LEASE

A tenant that is affected by family violence, where the perpetrator is also a tenant at the same property, may:

- Terminate the lease agreement; or
- Have themselves taken off the lease; or
- Have the perpetrator taken off the lease.

To do this, the affected person must apply for a family violence orders through the Magistrates Court (not the police), and must specifically ask the Court that the lease is terminated, that they are taken off the lease, or that the perpetrator is taken off the lease.

Removing the perpetrator from the lease will revoke their right to enter the premises. If they seek to enter again, they will be trespassing and the victim can call the police to have the removed.

If the perpetrator damages the property, you should make a complaint to the police and supply your landlord with a copy of the police report.

The Tenants' Union is unable able to assist in most cases of family violence, as we cannot act in disputes that involve conflict between two tenants. Affected tenants that are interested in seeking orders and require assistance should contact another legal service, such as the Women's Legal Service or Legal Aid.

CHANGE THE LOCKS

If a Family Violence Order or Police Family Violence Order is in place to protect a tenant, the tenant may change the locks and security devices without having to wait for the consent of the landlord. Note though that the tenant will need to provide the landlord with a copy of the new keys.

CONTACTS

Tenants' Union of Tasmania (TUT).....6223 2641 or 1300 652 641
Women's Legal Service.....1800 682 468
Engender Equality.....6278 9090
Housing Connect.....1800 800 588
Tasmania Legal Aid.....1300 366 611
Hobart Community Legal Service.....6223 2500
Equal Opportunity Tasmania.....6224 4905 or 1300305 062

Tenants' Union of Tasmania

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