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## 2002 Survey of Rhode Island Law: Legislation: Fair Housing: An Act Relating to Fair Housing Practices Act

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**Fair Housing.** *An Act Relating to Fair Housing Practices Act.* A landlord is prohibited from discriminating against a tenant or applicant for housing solely on the basis that the tenant or applicant is a victim of domestic violence. Effective June 14, 2002. 2002 R.I. Pub. Laws ch. 118.

#### SUMMARY

This legislation (the Act) amends sections 34-37-1 through 34-37-4, and adds section 34-37-2.4, of the Rhode Island General Laws to include victims of domestic violence within the class of those protected by the Fair Housing Practices Act.<sup>1</sup> The protected class includes those persons that have been, are, or are threatened with being, a victim of domestic abuse, and those persons seeking restraining orders from a court for protection from domestic abuse.<sup>2</sup> The Act specifies that the terms “domestic abuse” and “victim” shall have the same meanings as defined in sections 15-15-1 and 12-29-2, with the exception that the term domestic abuse need not be limited to those instances involving a minor.<sup>3</sup> The Act further prevents any written or oral inquiry as to whether a person has been, is, or is threatened with being, a victim of domestic abuse or whether they are seeking a protective restraining order.<sup>4</sup> The Act clarifies that nothing within the Act prevents a landlord from proceeding with an eviction under section 34-18-24, which allows eviction if domestic violence occurs on, or adjacent to, the premises.<sup>5</sup>

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1. 2002 R.I. Pub. Laws ch. 118 (codified as amended at R.I. GEN. LAWS §§ 34-37-1 to -4 (2002)).

2. R.I. GEN. LAWS §§ 34-37-1 to -4 (2002).

3. *Id.* § 34-37-3(18), (19).

4. *Id.* § 34-37-4.

5. *Id.* §§ 34-18-24(10), 34-37-2, 34-37-4(n).