

**Superseded 5/8/2018**

**57-22-5.1 Crime victim's right to new locks -- Domestic violence victim's right to terminate rental agreement -- Limits an owner relating to assistance from public safety agency.**

(1) As used in this section:

- (a) "Crime victim" means a victim of:
  - (i) domestic violence, as defined in Section 77-36-1;
  - (ii) stalking as defined in Section 76-5-106.5;
  - (iii) a crime under Title 76, Chapter 5, Part 4, Sexual Offenses;
  - (iv) burglary or aggravated burglary under Section 76-6-202 or 76-6-203; or
  - (v) dating violence, consisting of verbal, emotional, psychological, physical, or sexual abuse of one person by another in a dating relationship.

- (b) "Public safety agency" means a governmental entity that provides fire protection, law enforcement, ambulance, medical, or similar service.

(2) An acceptable form of documentation of an act listed in Subsection (1) is:

- (a) a protective order protecting the renter issued pursuant to Title 78B, Chapter 7, Part 1, Cohabitant Abuse Act, subsequent to a hearing of which the petitioner and respondent have been given notice under Title 78B, Chapter 7, Part 1, Cohabitant Abuse Act; or

- (b) a copy of a police report documenting an act listed in Subsection (1).

(3)

- (a) A renter who is a crime victim may require the renter's owner to install a new lock to the renter's residential rental unit if the renter:

- (i) provides the owner with an acceptable form of documentation of an act listed in Subsection (1); and

- (ii) pays for the cost of installing the new lock.

- (b) An owner may comply with Subsection (3)(a) by:

- (i) rekeying the lock if the lock is in good working condition; or

- (ii) changing the entire locking mechanism with a locking mechanism of equal or greater quality than the lock being replaced.

- (c) An owner who installs a new lock under Subsection (3)(a) may retain a copy of the key that opens the new lock.

- (d) Notwithstanding any rental agreement, an owner who installs a new lock under Subsection (3) shall refuse to provide a copy of the key that opens the new lock to the perpetrator of the act listed in Subsection (1).

- (e) Notwithstanding Section 78B-6-814, if an owner refuses to provide a copy of the key under Subsection (3)(d) to a perpetrator who is not barred from the residential rental unit by a protective order but is a renter on the rental agreement, the perpetrator may file a petition with a court of competent jurisdiction within 30 days to:

- (i) establish whether the perpetrator should be given a key and allowed access to the residential rental unit; or

- (ii) whether the perpetrator should be relieved of further liability under the rental agreement because of the owner's exclusion of the perpetrator from the residential rental unit.

- (f) Notwithstanding Subsection (3)(e)(ii), a perpetrator may not be relieved of further liability under the rental agreement if the perpetrator is found by the court to have committed the act upon which the landlord's exclusion of the perpetrator is based.

(4) A renter who is a victim of domestic violence, as defined in Section 77-36-1, may terminate a rental agreement if the renter:

- (a) is in compliance with:

- (i) all provisions of Section 57-22-5; and

- (ii) all obligations under the rental agreement;
- (b) provides the owner:
  - (i) written notice of termination; and
  - (ii) a protective order protecting the renter from a domestic violence perpetrator or a copy of a police report documenting that the renter is a victim of domestic violence and did not participate in the violence; and
- (c) no later than the date that the renter provides a notice of termination under Subsection (4)(b)
  - (i), pays the owner the equivalent of 45 days' rent for the period beginning on the date that the renter provides the notice of termination.

(5) An owner may not:

- (a) impose a restriction on a renter's ability to request assistance from a public safety agency; or
- (b) penalize or evict a renter because the renter makes reasonable requests for assistance from a public safety agency.