

**CRIME VICTIMS - CHANGE OF LOCKS
ON RENTAL PROPERTY**

2005 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: LaWanna Lou Shurtliff

Senate Sponsor: David L. Thomas

LONG TITLE

General Description:

This bill amends the Utah Fit Premises Act to provide crime victims the right to have the lock to a residential rental unit changed at the renter's expense.

Highlighted Provisions:

This bill:

▶ enacts a provision allowing a renter who is a victim of one of a list of certain crimes to require the owner to install a new lock at the renter's expense.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

57-22-5.1, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **57-22-5.1** is enacted to read:

57-22-5.1. Crime victim's right to new locks.

(1) For purposes of this section, "crime victim" means a victim of:

(a) domestic violence, as defined in Section 77-36-1;

(b) stalking as defined in Section 76-5-106.5;

- (c) a crime under Title 76, Chapter 5, Part 4, Sexual Offenses;
- (d) burglary or aggravated burglary under Section 76-6-202 or 76-6-203; or
- (e) dating violence, consisting of verbal, emotional, psychological, physical, or sexual abuse of one person by another in a dating relationship.
- (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 30, Chapter 6, Cohabitant Abuse Act, subsequent to a hearing of which the petitioner and respondent have been given notice under Title 30, Chapter 6; 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)(a) 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 78-36-12, 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.