

# ACLU Hails Ruling That Fair Housing Act Prohibits Discrimination Against Victims of Domestic Violence

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## FOR IMMEDIATE RELEASE

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### **In First Ever Ruling, Court Finds Domestic Violence Constitutes Sex Discrimination Under Law**

BRATTLEBORO, VT -- In an important victory for battered women, the first case ever to hold that the Fair Housing Act prohibits discrimination against domestic violence victims settled this week. The American Civil Liberties Union was co-counsel with Vermont Legal Aid in the domestic violence and housing discrimination case *Bouley v. Young-Sabourin*.

"This important ruling will ensure that when a woman is victimized by domestic violence, she is not doubly victimized with eviction as a result," said Emily Martin, a staff attorney with the ACLU Women's Rights Project. "For the first time, a court has ruled that under the Fair Housing Act, a woman cannot be thrown out of her home because she was battered."

The defendant in the case agreed to settlement shortly after the federal court issued a first-of-its-kind ruling that discriminating against victims of domestic violence constitutes sex discrimination under the Fair Housing Act. The judge ruled that because women are most often the victims of domestic violence, the protection the Fair Housing Act provides against sex discrimination is applicable in these instances. The ruling is important because women who experience domestic violence are often threatened with homelessness as a result. If a woman knows that she may be evicted if her landlord learns about the violence in her relationship, she is more likely to keep the abuse secret and less likely to seek help from police or courts, the ACLU said. According to the Department of Justice, women living in rental housing experience intimate partner violence at three times the rate of women who own their homes.

Quinn Bouley, the plaintiff in the case, lived with her husband and children in a small apartment building. When her husband brutally attacked her one night, she managed to call the police and flee the apartment. Her husband was arrested and never returned to their home. Immediately after the incident, Bouley's landlord sent her a letter of eviction. Bouley sued, claiming that the reason she was evicted was because her reaction to being assaulted did not concur with the landlord's gender stereotypes about how a female victim should act. The court agreed that Bouley had a valid claim of sex discrimination, paving the way for a trial. The case settled closely on the heels of this ruling.

The ACLU maintains that the principle set out in the federal judge's ruling should be applicable to other areas of the law and believes that the federal judge's ruling will help battered women everywhere take the steps they need to keep themselves and their families safe.

"Women who have been abused need to be protected from their abuser, not penalized for surviving the assault," said Lenora Lapidus, Director of the ACLU Women's Rights Project. "If women know that seeking help won't jeopardize their home or their job, they are far better able to escape from violent relationships."

Legal documents from *Bouley v. Young-Sabourin* are available online at [www.aclu.org/WomensRights/WomensRightsList.cfm?ContentStyle=6&c=173](http://www.aclu.org/WomensRights/WomensRightsList.cfm?ContentStyle=6&c=173).

The Women's Rights Project has been involved in litigating many cases relating to domestic violence and housing discrimination. The cases and accompanying materials are available online at [www.aclu.org/WomensRights/WomensRightsMain.cfm](http://www.aclu.org/WomensRights/WomensRightsMain.cfm).

An ACLU fact sheet on Housing Discrimination and Domestic Violence is available online at [www.aclu.org/WomensRights/WomensRights.cfm?ID=16883&c=173](http://www.aclu.org/WomensRights/WomensRights.cfm?ID=16883&c=173).

An ACLU fact sheet on Homelessness and Domestic Violence is available online at [www.aclu.org/WomensRights/WomensRights.cfm?ID=16885&c=173](http://www.aclu.org/WomensRights/WomensRights.cfm?ID=16885&c=173)