

SENATE BILL 902

By Burks

AN ACT to amend Tennessee Code Annotated, Title 66,
Chapter 7, Part 1, relative to the termination of
certain residential lease or rental agreements.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 7, Part 1, is amended by
adding the following as a new section:

Section 66-7-111.

(a)

(1) If a tenant to a residential rental agreement or lease agreement entered into or renewed on or after July 1, 2009 notifies the landlord in writing that the tenant or a household member is the victim of domestic abuse, sexual assault, or stalking as defined in § 36-3-601, and provides the landlord with evidence of domestic abuse, sexual assault, or stalking the tenant shall be permitted to terminate the agreement or lease relative to such person's primary residence. If the tenant or household member provides the landlord with the following evidence, the tenant may terminate the agreement or lease, and, commencing from the date the tenant ceases to occupy the property, may do so without incurring penalties, early termination fees, or being obligated to pay further rent:

(A) An ex parte order or order of protection issued pursuant to § 36-3-605, to a tenant or household member who is the victim of domestic abuse, sexual assault, or stalking;

(B) A written departmental report from a law enforcement agency stating that the tenant or household member notified the law enforcement agency that the tenant or household member was a victim of domestic abuse, sexual assault, or stalking;

(C) A written report from an agency, that receives funds pursuant to title 71, chapter 6, part 2, for family violence and child abuse prevention, stating that the tenant or household member is a victim of domestic abuse, sexual assault, or stalking; or

(D) A written medical report indicating that the tenant or household member was a victim of domestic abuse, sexual assault, or stalking.

(2) The evidence must have been documented no more than sixty (60) days prior to the tenant's notice to the landlord.

(b) The tenant shall vacate the premises within thirty (30) days of the notice or at such other time as may be agreed upon by the landlord and the tenant.

(c) If the tenant terminates the rental agreement as prescribed by this section and if the tenant is solely or jointly liable on the rental agreement, the tenant is liable only for rent owed or paid through the date of the notice of lease termination plus any previous obligations outstanding on that date.

(d) Other tenants who are parties to the rental agreement are not released from their obligations under the rental agreement.

(e) Nothing in this section authorizes the termination of tenancy and eviction of a residential tenant solely because the residential tenant is a victim of domestic abuse, sexual assault or stalking.

(f) This section shall not be subject to waiver or otherwise modified by agreement of the parties.

(g) "Household member" as used in this section means a member of the tenant's family who lives in the same household as the tenant.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it and shall apply to any rental agreement or lease entered into or renewed on or after such date.