

HOUSE BILL 2262

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 66,
relative to the termination of residential lease or
rental agreements under certain circumstances.

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

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

(a) As used in this section, unless the context otherwise requires, "household
member" means a member of the tenant's family who lives in the same household as the
tenant.

(b)

(1) A tenant who meets the requirements established in this subsection

(b) shall have the right to terminate a residential rental agreement or lease
agreement entered into or renewed on or after July 1, 2012, upon the tenant
providing the landlord with written notice stating that the tenant or a household
member is the victim of domestic abuse, sexual assault, or stalking as defined in
§ 36-3-601. In order for a tenant to terminate the tenant's rights and obligations
under the rental agreement and vacate the dwelling without liability for future rent
and early termination penalties or fees, the tenant shall provide the landlord with:

(A) Written notice requesting release from the rental agreement;

(B) A mutually agreed on release date within the next thirty (30)

days from the date of the written notice; and

(C) Any one of the following:

(i) A copy of a valid order of protection issued or extended
pursuant to § 36-3-605 following a hearing at which the court

found by a preponderance of the evidence that the tenant or household member is a victim of domestic abuse, sexual assault, or stalking; or

(ii) A written report from a domestic abuse shelter, sexual assault center, or child abuse agency, signed by the agency director or other authorized official, stating that the tenant or household member is receiving services provided to victims of domestic abuse, sexual assault, or stalking along with a safety plan recommending the relocation.

(2) Any documentation the tenant offers in support of the termination request shall be dated no more than sixty (60) days prior to the tenant's notice to the landlord.

(3)

(A) Unless otherwise required by law or a court of competent jurisdiction, no landlord shall reveal any identifying information concerning a tenant who has terminated a lease pursuant to this subsection without the written consent of the victim.

(B) As used in this subdivision (b)(3) "identifying information" means the home and work addresses and telephone numbers, social security number, and any other information that could reasonably be used to locate the whereabouts of the former tenant.

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

(c) A tenant terminating the rental agreement pursuant to this section is responsible for:

- (1) The rent payment for the full month in which the tenancy terminates;
- (2) An additional amount equal to one (1) month's rent; and
- (3) Any previous obligations outstanding on the termination date.

(d) Nothing in this section shall be construed to:

(1) Release other parties to the rental or lease agreement from their obligations under such agreement;

(2) Authorize the landlord to terminate the tenancy and cause the eviction of a residential tenant solely because the tenant is a victim of domestic abuse, sexual assault, or stalking; or

(3) Authorize the landlord or tenant, by agreement, to waive or modify any of the provisions of this section.

SECTION 2. Tennessee Code Annotated, Title 66, Chapter 28, Part 2, is amended by adding the following as a new section:

66-28-205. The requirements of Section 1 of this act shall apply to rental agreements that are subject to the requirements of this chapter.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it and shall apply to any rental agreement or lease entered into or renewed on or after such date.