

# Renters' Rights and Domestic Violence: Protections Under Kentucky Law



**Kentucky Law Protects**

Kentucky Law (KRS 383.300) protects survivors of domestic violence, dating violence, sexual assault, or stalking who have protective orders AND entered into or renewed a lease on or after June 29, 2017.

## **Emergency Protections: First Steps**

These protections begin when you have an Emergency Protective Order, Temporary Interpersonal Protective Order, or Pretrial Release No Contact Order.

- You can't be evicted or denied a lease or rental agreement because of your status as a "protected tenant," someone who sought a protective order or who has a minor child with a protective order.
- You can change your locks. Inform your landlord (in writing is best). The lock can be rekeyed or replaced with one as good or better quality at your expense. If the landlord asks, you must give them a key. The landlord can refuse to provide the new key to the other party, even if they are on the lease or rental agreement.

## **After Court: A More Permanent Protection**

You can end your lease/rental agreement if you obtained a Domestic Violence Order or Interpersonal Protective Order.

- Provide written notice with a date 30 days away. Include a copy of your Order.
- You are responsible for pro-rated rent.

You should NOT:

- Be on the hook for other rent or fees
- Receive a negative reference
- Have your credit harmed.

If you entered a new rental agreement and now have an Order, you can end the agreement 14 days before you begin living there and face no penalties or damages. If you had the Order and now wish to move, you must show why you are no longer safe in the rental.

## **Frequently Asked Questions**

## **My landlord filed for eviction against me because of domestic violence. What can I do?**

You will need a protective order and a notice to vacate related to acts that violated your protective order or led you to get a protective order. The notice may reference noise, "drama," "disturbances," or the police being called.

AppalReD attorneys can help in many different ways. Sometimes we can resolve the problem by chatting with the landlord. We can also help you tell your story to a judge.

## **My lease says I can't call the police. Is that true?**

No. You are legally allowed to call the police and for emergency services. Call us. We can help.

## **I'm not on the lease. Do I have any rights?**

You are still protected.

## **Do I have to pay for damage to the rental that is a result of the violence?**

The other party is liable for damages. If a lawsuit is filed against you to collect, we can help with that, too.

## **What if my abuser filed a protective order against me? My situation is complicated.**

Call us. We're used to complicated, and our services are always free.

## **What if I didn't report the violence to the police? What if my past is less than "perfect?"**

We believe you. We believe you if it happened 6 months ago or 6 days ago. We believe you if you have a criminal record, use substances, or have a "perfect" life. We believe you regardless of race, ethnicity, gender, sex or sexual orientation.

Let us help.

Please.

Last updated on August 24, 2023.

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