



STATE OF DELAWARE
DEPARTMENT OF ELECTIONS

Candidate Primary Residency Verification Information for Candidates

Pursuant to 15 Del. C. § 3114, a candidate must provide the Department of Elections documentation specified below in order to qualify for candidacy. A candidate who does not comply with this section by the candidate filing deadline, or who “wilfully” provides “false, forged, or altered documents” or coerces or influences persons into providing affidavits confirming the candidate’s residency will not qualify for office.

The Department of Elections staff member processing candidate filing paperwork will ask for the following documentation from the candidate at the time the candidate files for office and will forward the information produced to the State Election Commissioner’s Office. Candidate primary residency documentation and affidavit(s) will be verified by the State Election Commissioner. The Commissioner will verify the address documentation provided by the candidate within 7 calendar days of the filing of the notice of candidacy provide the candidate confirmation in writing that the requirements have been met. If the Commissioner determines there is a deficiency in the documentation, the Commissioner will send notice in writing to the candidate explaining that the address requirements have not been met and advising the candidate of specific documentation they will be required to submit in order to fulfill the candidate residency requirements in the Code and qualify for candidacy.

___1. Affidavit of Candidate Residency form. This form requires notarization, and the Department will notarize the document if the candidate files in person at the Department office.

___2. The following documentation is required by Delaware Code:

Requirement #1: PROOF OF HOME OWNERSHIP OR PROOF OF RESIDENCY IN A RENTED OR LEASED RESIDENCE

PROOF OF HOME OWNERSHIP

___ Deed of candidate’s home residence

___ Mortgage billing statement

___ Other document verifying candidate primary residence and home ownership

***If the candidate’s name is NOT on one of the documents verifying home ownership, or the documentation provided shows that the residence is in the name of a trust, partnership, or corporation, the candidate must submit an affidavit signed by the homeowner or authorized legal representative of the owner entity verifying that the candidate resides in the residence. The Candidate must complete and have notarized and return the *AFFIDAVIT VERIFYING PRIMARY RESIDENTIAL ADDRESS OF CANDIDATE BY HOMEOWNER OR LEGAL ENTITY* to the Department of Elections in order to comply with this section of the Delaware Code.

PROOF OF RESIDENCY IN A RENTED OR LEASED RESIDENCE

___ Signed copy of current, legally enforceable rental agreement or lease.

***The Department will check the expiration date of the rental agreement or lease. If the expiration date is less than 90 days from the date they are filing as a candidate, the candidate needs to submit a letter to the Department from the property manager or property owner verifying that the candidate is continuing to reside at the property.

***If the candidate does not have a rental agreement or a lease, the candidate must have the property owner or manager sign an *AFFIDAVIT VERIFYING PRIMARY RESIDENTIAL ADDRESS OF CANDIDATE BY PROPERTY MANAGER OR PROPERTY OWNER* form promulgated by the Commissioner that the candidate resides in the property. The candidate must have that form completed and notarized. The candidate must submit the completed affidavit to the Department of Elections in order to comply with this section of the Delaware Code.

Requirement #2: COPY OF CURRENTLY VALID MOTOR VEHICLE REGISTRATION OR DRIVER'S LICENSE

____ Motor Vehicle Registration with candidate's name and current address

____ Driver's License with candidate's name and current address

***If the address on the documentation does not match the candidate's primary residential address, the candidate must provide a document from DMV confirming that the candidate is in the process of updating their address to their current primary residential address on their motor vehicle registration or driver's license

***If the candidate does not have a Delaware driver's license or does not own a motor vehicle, ask the candidate for a copy of their Delaware State Issued Identification Card.

____ Delaware State Issued Identification Card

***If the candidate DOES NOT have any of the requested documentation above (DOES NOT have a Delaware Driver's License, DOES NOT own a motor vehicle, AND DOES NOT HAVE a State Issued Delaware Identification Card) the candidate must submit a utility bill in the candidate's name at the candidate's address.

____ Utility Bill in Candidate's Name at Candidate's Address

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Office of the State Election Commissioner

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