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City of Portland

Screening Criteria Policy

FRAMEWORK

Purpose: Create clear channels to access housing of choice for all renters regardless of background that is consistent, fair, and equitable and maintains dignity and humanity for the renter.

Summary: Rather than being independent barriers to housing, many screening criteria can be applied to an *overall* assessment of eligibility. The idea is that one or two issues should not prevent access to housing, and that positive histories should be able to counterbalance negative histories. Landlords could continue to screen as they see fit, but any initial denial would be subject to an individualized assessment and eligibility would be determined by a percentage of a scale. The concept is intended to give a more complete picture of a renter as a whole person and requires the landlord to apply a more objective ranking measure to a currently subjective process. The assessment scales provided in this framework are meant to be applied as an ala carte menu. Each assessment scale can be used in isolation or in combination with any others and the landlord can choose their own preferred screening criteria.

Proposal:

1. Applications
 - a. Applications must be received and processed on a first- come, first-served basis.
 - b. All applications must be time stamped to indicate date and time of submission.
 - c. All applicants must receive a receipt at the time of their application submission that matches the time stamp on their application and includes a que number.

- d. Applications can only be required of the adult(s) who would serve as the primary lease holder(s) and cannot be required of any dependent adults who are related to the lease holder and are not responsible for any portion of the rent (for example, parents, grandparents, adult children with disabilities, etc).
 - e. During an open application period in which the unit is publicly advertised, all contacts from the public including but not limited to phone calls, in person, mail, or email must be documented by the owner or management company and maintained as records for 3 years. (Is there an “intent to apply” trigger that should be clarified?)
 - f. Contact documentation must include the name, how the contact was received (phone, email, etc), reason for the contact (asking about units available, etc), and any return contact information received (email, address, phone number) if provided.
 - g. A contact receipt or confirmation number (based on a corresponding ledger number) must be provided to each person initiating a contact.
 - h. If there is a waitlist...??
 - i. All applications must include a section that provides applicants who experience disabilities the opportunity to request reasonable accommodations.
 - j. All applications must include a tenant’s notice of rights that provides an explanation of security deposit law, relocation law, and an applicant’s right to an individualized assessment and contact information to the Rental Services Office for additional information on the assessment scales and tenant laws.
 - k. Applications and tenant notice of rights must be provided in the primary language of the applicant upon request by the applicant.
2. Identification Requirements
- a. Any document or combination of documents that establishes a person’s picture and date of birth including but not limited to birth certificate, consulate id, school id, or tax forms must be accepted in lieu of a government issued id when an applicant does not have one.
3. Income Requirements
- a. Landlords may not require applicants to have income more than 2x the current monthly rent.
 - b. Income requirements must allow a combination of all sources including but not limited to government and social service subsidies, annual dividends, and family assistance.
 - c. Income requirements apply as a household instead of individually when more than one adult applies as a group.
4. Eligibility Criteria
- a. A landlord may initially deny an applicant if they do not meet the criteria of identification and income requirements.

- b. If a landlord intends to deny an applicant based on other criteria, they must first use the assessment scales to rank the applicant according to the preferred screening criteria as identified by the landlord. (For example: if a landlord only screens for eviction history and credit history, they only need to use the assessment scales for those two areas to determine eligibility.)
- c. If a landlord chooses to use more than one assessment scale, the applicant must meet the eligibility threshold for each scale individually.
- d. Housing can be offered to any applicant regardless of their eligibility ranking, but housing cannot be denied to any applicant who falls within the top 50% of each assessment scale.
- e. Any applicant who initially falls within the bottom 50% of the total assessment scale must be notified and allowed 24 hours to provide additional positive offsets to improve their eligibility ranking.
- f. If a tenant is unable to provide additional positive offsets within 24hrs, but does provide them within 14 business days, and those offsets bring them within the top 50% of the total assessment scale, they will receive first priority approval for the next available unit of comparable size, for a period not to exceed 6 months.
- g. Eligibility is determined for each adult applicant, even when applying together as a family or group.
- h. If an adult applicant applying as part of a family or group falls below the eligibility threshold, housing can be denied to that applicant, but not the family or group as a whole unless it changes the income ratio.

5. Assessment Criteria

- a. Each individual scale has a total points possible of 10 and a least points possible of 0.
- b. For each negative offset, negative points are applied starting with 10. (For example, if an applicant has 6 points in negative offsets, their ranking before positive offsets are applied would be 4.)
- c. For each positive offset, positive points are applied starting with their ranking after negative offsets were applied. (For example, if after negative offsets an applicant has a ranking of 4 and they provide positive offsets that count for 2 points, their ranking would then be 6.)
- d. Negative offsets may be combined as applicable (For example: if screening for credit history, a landlord can apply the negative offset points for bad credit score and property debt and number of adverse accounts.)
- e. If the same positive offset is listed in multiple scales, the positive points must be applied for each instance (For example: if screening for eviction history and credit history, Rent Well will apply as a positive offset 2 times instead of 1. Because Rent Well has a positive offset score of 1, the applicant receives 2 points instead of 1 point).
- f. Any negative offsets or positive offsets not listed in the assessment scales cannot be used to determine eligibility.

g. Credit History and Score

- a. Any past debt for secondary education or medical cannot be considered as adverse accounts.
- b. Desired credit scores are determined by the landlord. (For example, if the landlord prefers an applicant has a credit score of 600, anything below that score can be considered a “low credit score” as listed in the negative offset.)

h. Rental and Eviction History

- a. Inquiries to previous landlords regarding rental history of an applicant are limited to requests for information on dates of rental period, rental payment history, security deposit charges due to intentional damage, court judgements as they directly relate to the previous landlord, and outstanding debts as they directly relate to the previous landlord.
- b. Information regarding general complaints, lifestyle, or eviction filings that did not result in a judgement cannot be requested or provided.

i. Criminal History

- a. Any criminal history related to previous laws that are no longer illegal cannot be considered.
- b. Any expunged records that appear on a criminal history report cannot be considered.
- c. Any crime older than 7 years from date of offense cannot be considered.
- d. There are no negative offsets for the criminal history individualized assessment scale and positive offset points are applied beginning at 0, with a total possible points of 10.
- e. Positive offsets in this category are applied regardless of the nature of the crime. (For example, successful drug and alcohol treatment will apply even if the crime was financial fraud.)

j. Additional Positive Offsets

- a. If provided by the tenant, additional positive offsets are applied one time only to the scale with the lowest assessment score.

6. Assessment Scales

a. Credit History and Score- Negative Offsets

- | | |
|---|--------|
| 1. Low credit score | [-.5] |
| 2. No credit history | [-8] |
| 3. Property Debt | [-2] |
| 4. Bankruptcy within the last year | [-3] |
| 5. Bankruptcy within the last 2-5yrs | [-2] |
| 6. Bankruptcy over 5yrs | [-1] |
| 7. 3-5 number of “adverse accounts” | [-1] |
| 8. More than 5 number of “adverse accounts” | [-1.5] |

b. Credit History and Score- Positive Offsets

1. Documentation of current payment plans toward credit debt. [1]
2. Completion of Rent Well program [1]
3. Documentation of 6 consecutive months of positive rental payments within the last year [.5]
4. Documentation of 12 consecutive months of positive rental payments within the last 2yrs [1]
5. Documentation of 12 consecutive months of positive rental payments within the last year. [2]
6. Completion of credit counseling [2]
7. Documentation of current credit counseling [1]
8. Documentation of active participation with a legal or non-profit advocate to clear past collections [1]
9. Explanation of no credit history based on national origin or other identification protected by fair housing law [6]

c. Rental and Eviction History- Negative Offsets

1. FED judgement within the last year [-6]
2. FED judgement within the last 2-5yrs [-3]
3. FED judgement older than 5yrs [0]
4. No previous rental history [-2]
5. Inconsistent rental payment history [-2]
6. Previous unit left in damaged condition [-2]
7. Outstanding debts to previous landlord [-3]

d. Rental and Eviction History- Positive Offsets

1. Completion of Rent Well Program [1]
2. Documentation of domestic violence in previous tenancy [1]
3. Documentation of current payments toward outstanding debt to previous landlord [1]
4. Documentation of 6 consecutive months of positive rental payments within the last year [.5]
5. Documentation of 12 consecutive months of positive rental payments within the last 2yrs [1]
6. Documentation of 12 consecutive months of positive rental payments within the last year [2]

e. **Criminal History-Positive Offsets**

1. Completion of drug or alcohol treatment since last offense [2]
2. Current enrollment in drug or alcohol treatment [1]
3. Completed counseling services since last offense [2]
4. Current engagement in counseling services [1]
5. Completion of secondary education or vocational training since last offense [2]
6. Current enrollment in secondary education or vocational training [1]
7. Current engagement in a support group, home visits, or other resources provided by a peer network or case management [2]
8. Current oversight of a probation officer [.5]
9. Certificate of Good Standing [5]
10. Conviction is older than 3 years, or 1yr from release for the following crimes: felony assault and battery, misdemeanor domestic violence, robbery offenses (no weapons involved), non-forcible sex offenses, stalking, felony burglary, breaking and entering, drug offenses (manufacturing, distributing, possession with intent to sell), weapons offenses (except use of a firearm against a person), felony property offenses (destruction, damage, vandalism), 2 or more felony offenses for theft, stolen property, or fraud-related offenses [3]
11. Conviction or release is older than 1yr for the following crimes: 2 or more felony drug possession, 2 or more DUI-related offenses [3]

(Need a LOT more!)

f. **Additional Positive Offsets**

1. Documentation of 1-2yrs job stability [2]
2. Documentation of more than 2yrs job stability [3]
3. Documentation of 20hrs voluntary community service (not required by probation/parole) [2]
4. Documentation of more than 20hrs voluntary community service (not required by probation/parole) [3]

(Need more here)

7. Application Denial and Fees

- a. Any applicant denied housing because they do not meet the eligibility threshold must receive documentation of that denial within 2 weeks of the date of the denial.
- b. Documentation of denial must include how the applicant ranked on the overlay scale and what positive offsets they could have provided to improve their eligibility.
- c. If documentation of denial is not provided to the applicant within 2 weeks, the owner must refund their entire application fee within the same 2 week period.

8. Reasonable Accommodations

- a. An applicant who experiences disabilities cannot be denied housing based on a denial of reasonable accommodation alone.
- b. If an applicant's accommodation request is denied, the applicant must be allowed 24 hours to request an alternative accommodation that meets their needs.
- c. If the second accommodation request is denied, the applicant must be allowed another 24 hours to request an alternative accommodation that meets their needs.
- d. If no reasonable accommodation can be made in the unit the applicant applied for, they may still accept the unit if they meet the eligibility criteria.
- e. If the applicant cannot accept the unit without the reasonable accommodations requested, the applicant must be given first preference for another unit of similar size, if the landlord owns one, up to 6 months.
- f. The preference for the applicant with disabilities supersedes other applicants on the waiting list.

9. Enforcement

- a. ??

10. Exemptions

- a. ??

11. Definitions

- a. ??