



## CITY OF PORTLAND - STANDARD NON-FINANCIALLY RESPONSIBLE RENTAL CRITERIA FOR RESIDENCY

You have a right to request a written summary of your rights under the Federal Fair Credit Reporting Act as well as a complete and accurate disclosure of the nature and scope of the investigation requested. The request should be made to the landlord or credit reporting firm listed on the application.

### OWNER/AGENT'S EVALUATION PROCESS

Upon receipt of a completed application, the contents of the application are compared to the screening criteria by Owner/Agent and the individual is either approved or denied in compliance with all local, state, and federal laws. Individuals are welcome to provide supplemental evidence to mitigate potentially negative screening results.

Individuals have 30 days to appeal denied applications, during which time they may correct, refute, or explain negative information forming the basis for the denial. Individuals are also prequalified for any rental opportunities at Owner/Agent's properties for three months following the approval date. All screening fees are waived for three months following the approved appeal, but individuals under these circumstances will be required to certify in writing that no conditions have materially changed from those described in Owner/Agent's approved application. If conditions have materially changed, Owner/Agent may use those changes as the basis for a denial.

### OCCUPANCY POLICY

Occupancy is based on the number of bedrooms in a unit. A bedroom is defined as a habitable room that is intended to be used primarily for sleeping purposes, contains at least 70 square feet, and is configured so as to take the need for a fire exit into account.

The general rule is two persons are allowed per bedroom. Owner/Agent may adopt a more liberal occupancy standard based on factors such as size and configuration of the unit, size, and configuration of the bedrooms, and whether any occupants will be infants.

Apartment Size	Maximum Occupancy
Studio	3 persons
One bedroom	3 persons
Two bedroom	5 persons
Three bedroom	7 persons

### GENERAL STATEMENTS

- Any of the following items, or combination thereof, will be accepted to verify the name, date of birth, and photo of the individual:
  - Evidence of Social Security Number (SSN Card)
  - Valid Permanent Resident Card
  - Immigrant Visa
  - Individual Taxpayer Identification Number (ITIN)
  - Non-Immigrant Visa
  - Any government-issued identification regardless of expiration date
  - Any non-governmental identification or combination of identifications that would permit a reasonable verification of identity
- Each individual will be required to qualify individually or as a household as per specific criteria areas.
- Inaccurate, incomplete, or falsified information will be grounds for denial of the application.
- Any individual currently using illegal drugs will be denied. If approved for tenancy and later illegal drug use is confirmed, termination shall result.
- Any individual whose tenancy may constitute a direct threat to the health and safety of any individual, the premises, or the property of others, will be denied tenancy.
- Applicants have the right to a refund of the screening charge paid in conjunction with this application and recover damages as set forth in ORS 90.295(5) and (6)(b).

### EVICTED HISTORY CRITERIA

An eviction judgment entered against an applicant less than 5 (five) years before the date of application will result in denial, except that any eviction judgments entered on claims that arose on or after April 1, 2020, and before March 1, 2022 will not be a basis for denial. Eviction actions that were dismissed or resulted in a judgment for the applicant will not be considered.

## **CRIMINAL CONVICTION CRITERIA**

Upon receipt of the Rental Application and screening fee, Owner/Agent will conduct a search of public records to determine whether applicant or any proposed resident or occupant has a "Conviction" (which means: charges pending as of the date of the application; a conviction; a guilty plea; or no contest plea), for any of the following crimes as provided in ORS 90.303(3): drug-related crime; person crime; sex offense; crime involving financial fraud, including identity theft and forgery; or any other crime if the conduct for which applicant was convicted or is charged is of a nature that would adversely affect property of the landlord or a tenant or the health, safety or right of peaceful enjoyment of the premises of residents, the landlord or the landlord's agent. Owner/Agent will not consider a previous arrest that did not result in a Conviction or expunged records. If applicant, or any proposed occupant, has a Conviction in their past which would disqualify them under these criminal conviction criteria, and desires to submit additional information to Owner/Agent along with the application so Owner/Agent can engage in an individualized assessment (described below) upon receipt of the results of the public records search and prior to a denial, applicant should do so. Otherwise, applicants may request the review process after denial as set forth below, however, see item (c) under "Fair Housing Laws" below regarding holding the unit.

A single Conviction for any of the following, subject to the results of any review process, shall be grounds for denial of the Rental Application.

- a) Felonies or Misdemeanors involving: murder, manslaughter, arson, rape, kidnapping, child sex crimes, manufacturing or distribution of a controlled substance, or terrorism.
- b) Felonies not listed above involving: drug-related crime; person crime; sex offense; crime involving financial fraud, including identity theft and forgery; or any other crime if the conduct for which applicant was convicted or is charged is of a nature that would adversely affect property of the landlord or a tenant or the health, safety or right of peaceful enjoyment of the premises of the residents, the landlord or the landlord's agent, where the date of disposition has occurred in the last 7 years.
- c) Misdemeanors not listed above involving: drug related crimes, person crimes, sex offenses, domestic violence, violation of a restraining order, stalking, weapons, criminal impersonation, possession of burglary tools, financial fraud crimes, where the date of disposition has occurred in the last 5 years.
- d) Misdemeanors not listed above involving: theft, criminal trespass, criminal mischief, property crimes or any other crime if the conduct for which applicant was convicted or is charged is of a nature that would adversely affect property of the landlord or a tenant or the health, safety or right of peaceful enjoyment of the premises of the residents, the landlord or the landlord's agent, where the date of disposition has occurred in the last 3 years.
- e) Conviction of any crime that requires lifetime registration as a sex offender, or for which applicant is currently registered as a sex offender, will result in denial.

## **CRIMINAL CONVICTION REVIEW PROCESS**

Owner/Agent will engage in an individualized assessment of the individual's, or other proposed occupant's, convictions if the individual has satisfied all other criteria (the denial was based solely on one or more Convictions) as required by local, state and federal law, and:

- (1) The individual has submitted supporting documentation prior to the public records search; or
- (2) The individual is denied based on failure to satisfy these criminal criteria and has submitted a written request along with supporting documentation. Supporting documentation may include:
  - i) Letter from parole or probation office;
  - ii) Letter from caseworker, therapist, counselor, etc.
  - iii) Certifications of treatments/rehab programs;
  - iv) Letter from employer, teacher, etc.
  - v) Certification of trainings completed;
  - vi) Proof of employment; and
  - vii) Statement of the individual.

Landlord will also perform an individualized assessment if no supplemental information is received as required by any local, state, or federal law. Owner/Agent will:

- (a) Consider relevant individualized evidence of mitigating factors, which may include: the facts or circumstances surrounding the criminal conduct; the age of the convicted person at the time of the conduct; time since the criminal conduct; time since release from incarceration or completion of parole; evidence that the individual has maintained a good tenant history before and/or after the conviction or conduct; and evidence of rehabilitation efforts. Owner/Agent may request additional information and may consider whether there have been multiple Convictions as part of this process.
- (b) Notify the individual of the results of Owner/Agent's review within a reasonable time after receipt of all required information.
- (c) Hold the unit for which the application was received for a reasonable time.

## **FAIR HOUSING LAWS**

Landlord has a non-discrimination policy as required by federal, state, or local law and does not discriminate against any applicant because of the race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status, or source of income of the applicant. Landlord is in total compliance with State and Local Federal Fair Housing Laws.

### **RENT WELL GRADUATES**

If applicant fails to meet any criteria related to credit, evictions and/or rental history, and applicant has received a certificate indicating satisfactory completion of a tenant training program such as “Rent Well,” Owner/Agent will consider whether the course content, instructor comments and any other information supplied by applicant is sufficient to demonstrate that applicant will successfully live in the complex in compliance with the Rental Agreement. Based on this information, Owner/Agent may waive strict compliance with the credit, eviction and/or rental history screening criteria for this applicant

### **ASSISTED LIVING CRITERIA**

Applicants requiring the assistance of a permanent or temporary live-in caregiver will be required to have the caregiver submit an application. A criminal background check will be performed. The caregiver must meet screening requirements regarding criminal history or their application will be denied.

### **DENIALS**

If your application is denied due to negative or adverse information, it is your right to obtain a copy of the credit report and to dispute any information that you feel is inaccurate or incomplete. If you feel that the information reported to us was in error, you may contact the screening company by mail, by phone, or via fax.

Resident Verify  
4205 Chapel Ridge Road  
Lehi, UT 84043  
Phone: (866) 698-0661

Experian  
P.O. Box 9701  
Allen, TX 75013  
(888) 397-3742

I/We have read and understand this Screening and Selection Policy.

\_\_\_\_\_  
(Applicant)

\_\_\_\_\_  
Date

