



Portland Housing Bureau

Appendix H Sample Screening Criteria

RESIDENT SCREENING CRITERIA AFFORDABLE HOUSING PROGRAMS

OCCUPANCY POLICY

1. 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.)
2. Minimum of one person per bedroom, maximum of two persons per bedroom, plus one additional per unit. Maximum of two persons per studio, maximum of one person per SRO.

GENERAL STATEMENTS

1. Current, positive, government-issued photo identification that allows Owner/Agent to adequately screen for criminal and or credit history will be required.
2. Each applicant will be required to qualify individually or as per specific criteria areas. Denial of one household member will result in denial of all household members.
3. Inaccurate, incomplete or falsified information will be grounds for denial of the application.
4. 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.
5. Applicant will have five business days from the date of the original application to provide management with all verifications, signatures, and documentation necessary to determine qualification.
6. Security deposit is equal to one month's rent. Agent will allow for arrangement of payment plan if needed.

INCOME CRITERIA

1. Monthly household Income should be at least one and one half (**1.5**) times the monthly stated rent (plus utility allowance, if utilities are tenant paid) and cannot exceed the applicable maximum income limit assigned to the unit. The income limits are a percentage of the area median income, published annually by HUD, and adjusted for household size. Exceptions will be made to income/rent ratios for those with a minimum of six months of documented, guaranteed rental assistance and/or for those with verified assets on hand sufficient to pay rent and utilities for a minimum of six months.
*If applicant will be using local, state or federal housing assistance as a source of Income, "monthly stated rent" as used in this section means that portion of the rent that will be payable by applicant and excludes any portion of the rent that will be paid through the assistance program.
2. Monthly income must be from a verifiable, legal source. Unverifiable income will result in denial.
3. Minimum monthly income must be consistent with project guidelines.
4. Income and assets of all household members will be verified per methods approved by HUD and/or IRS Section 42 regulations. Verification requests will be mailed, e-mailed, or faxed by management, directly to the verifying institution/agency or employer and not hand-carried by applicant.

RENTAL HISTORY CRITERIA

1. Lack of rental history will not in itself be cause for denial.

2. Rental history reflecting past due and unpaid balances to a landlord in excess of \$1,500 in the last five years will result in denial of the application.
3. Rental history including three or more noise disturbances or any other material non-compliance with the rental agreement or rules within the past year will result in denial.

EVICTION HISTORY CRITERIA

Three years of eviction-free history is required. 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 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 applicant or any proposed resident or occupant has a "Conviction" (which means: 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 to 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, applicant may request the review process after denial as set forth below, however, see item (c) under "Criminal Conviction Review Process" 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.

1. Felonies involving: murder, manslaughter, arson, rape, kidnapping, child sex crimes, or manufacturing or distribution of a controlled substance (excluding marijuana).
2. Felonies not listed above involving: drug-related crimes (excluding marijuana); 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 5 years.
3. Misdemeanors involving: drug related crimes (excluding marijuana), 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 3 years.
4. 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 1 years.
5. Conviction of any crime that requires lifetime registration on a state sex offender registry will result in denial.

CRIMINAL CONVICTION REVIEW PROCESS

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

1. Applicant has submitted supporting documentation prior to the public records search; or
2. Applicant is denied based on failure to satisfy these criminal criteria and has submitted a written request along with supporting documentation. Supporting documentation may include:
 - a. Letter from parole or probation office;
 - b. Letter from caseworker, therapist, counselor, employer, teacher, etc
 - c. Certifications of treatments/rehab programs;
 - d. Certification of trainings completed;
 - e. Proof of employment; and
 - f. Statement of the applicant.

Owner/Agent will:

1. 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.
2. Notify applicant of the results of Owner/Agent's review within a reasonable time after receipt of all required information.
3. Hold the unit for which the application was received for a reasonable time under all the circumstances to complete the review unless prior to receipt of applicant's written request (if made after denial) the unit was committed to another applicant.

VAWA POLICY

VAWA housing protections that were passed in 2005 help prevent discrimination against, and unjust evictions of, survivors of domestic violence in public and assisted housing. Incidents related to domestic violence may sometimes result in background screening denials. If an applicant believes this is the case, they may request an appeal to overturn the denial. To process the appeal management may require:

1. Third party verification that the abuse occurred. Such documentation may include but not be limited to: Court records (e.g. restraining orders or orders protecting from harassment or stalking), police reports, documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional from whom the victim has sought assistance in addressing the abuse or the effects of the abuse.
2. Documentation linking the reason for the denial to the abuse. This may include a written statement from the Applicant or from his or her advocate, explaining how the domestic violence contributed directly to the issues that triggered the screening denial, and showing that the timelines for both issues coincide.
3. If occurrence of domestic violence is confirmed and all reasons for the screening denial are shown to be a result of circumstances related to the abuse, the denial may be overturned.

REASONABLE ACCOMMODATION

1. In certain circumstances Income Property Management will make reasonable adjustments to rules policies,

practices, services, or physical structures in order to serve the needs of a person with a disability. To show that an accommodation is necessary, there must be a proven relationship between the requested accommodation and the person's disability.

2. A resident or applicant, or someone acting on behalf of the resident or applicant, may make a request for reasonable accommodation at any time. While it is preferable to submit the request in writing on the form available in the Property Manager's Office, the request may also be made verbally to any member of the Management staff.

PROCESS FOR RECONSIDERATION

Written notices will be provided to applications which are denied and will state the reason(s) for the denial. An applicant who received a denial may submit a request for reconsideration to (_____/supervisory staff at PMC), who will conduct a review of the request and issue a written response of the outcome of the review.

SAMPLE

RESIDENT SCREENING CRITERIA AFFORDABLE SUPPORTIVE HOUSING AND PARTNERED HOUSING PROGRAMS (for SH units)

OCCUPANCY POLICY

3. 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.)
4. Minimum of one person per bedroom, maximum of two persons per bedroom, plus one additional per unit. Maximum of two persons per studio, maximum of one person per SRO.

GENERAL STATEMENTS

7. Current, positive, government-issued photo identification that allows Owner/Agent to adequately screen for criminal and or credit history will be required.
8. Each applicant will be required to qualify individually or as per specific criteria areas. Denial of one household member will result in denial of all household members.
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8. Income and assets of all household members will be verified per methods approved by HUD and/or IRS Section 42 regulations. Verification requests will be mailed, e-mailed, or faxed by management, directly to the verifying institution/agency or employer and not hand-carried by applicant.

RENTAL HISTORY CRITERIA

4. Lack of rental history will not in itself be cause for denial.
5. Rental history reflecting past due and unpaid balances to a landlord in excess of \$3,000 in the last five years will result in denial of the application.
6. Three or more noise disturbances or any other material non-compliance with the rental agreement or rules within the past six months will result in denial.

EVICTION HISTORY CRITERIA

One year of eviction-free history is required. Eviction actions that were dismissed or resulted in a judgment for the applicant will not be considered.

CRIMINAL CONVICTION CRITERIA

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3. Misdemeanors involving: drug related crimes (excluding marijuana), 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 2 years.
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Criminal Conviction Review Process

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 - a. Letter from parole or probation office;
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