



## CITY OF PORTLAND - STANDARD 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 Applicant is either approved or denied in compliance with all local, state, and federal laws. Applicants are welcome to provide supplemental evidence to mitigate potentially negative screening results.

Applicants have 30 days to appeal denied applications, during which time they may correct, refute, or explain negative information forming the basis for the denial. Applicants are also prequalified for any rental opportunities at Owner/Agent's properties for three months following the appeal approval date. All screening fees are waived for three months following the approved appeal, but Applicants 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 applicant:
  - 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 applicant 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/all supporting documentation for income must be provided to the owner/agent at the time the application is submitted. Applications submitted without appropriate income documentation will be considered incomplete and will not be processed until appropriate documentation has been provided.
- Any applicant 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.

### INCOME CRITERIA

- Monthly household income must be at least 3 times the monthly stated rent\*, and must be from a verifiable, legal source. Income between 2 - 2.9 times the stated rent will require additional security deposits or acceptable guarantors (co-signers). Income less than 2 times the stated rent will result in a denial.

\*If applicant will be using local, state or federal housing assistance as a source of income, "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. Applicants using self-employment income will have their records verified through the state corporation commission, and will be required to submit records to verify their income, which records may include the previous two (2) year's tax returns (Form 1040, 1099, or Schedule C). For applicants that have been self-employed for less than 2 years, bank statements may be considered as a sufficient source of income with liquid balances above twelve (12) times the monthly rent.
3. Acceptable forms of income documentation include: 1 (one) months' worth of paystubs (must be consecutive and most recent paystubs), a job offer letter, a court order document indicating specific financial support from another party, or documentation of periodic government assistance. Bank statements may be considered as a sufficient source of income with liquid balances above twelve (12) times the monthly rent.
4. If applicable, guarantors (co-signers) who wish to apply must provide acceptable and verifiable proof of current income equal to at least three (3) times the monthly stated rent and meet all other criteria.

### **CREDIT CRITERIA**

1. Collections, judgments, or past due amounts owed to a landlord that is reported by a landlord and/or on a consumer credit report, except unpaid rent that accrued on or after April 1, 2020 and before March 1, 2022, will result in denial of the application.
2. Negative or adverse debt of \$5,000 or greater reflected on a consumer credit report (not related to educational or medical expenses) will result in denial of the application. Negative or adverse debts below \$5,000.00 (not related to educational or medical expenses) will require additional security deposits.
3. A FICO Score of 600 or greater is required. Credit reports showing a FICO Score between 525 and 599 or No FICO Score will require additional security deposits. A credit report showing a FICO Score less than 525 or with No FICO Score and negative or adverse debts (not related to educational or medical expenses) will result in a denial of the application.
4. Chapter 7 Bankruptcies filed within one (1) year of the application or current pending bankruptcies will result in a denial of the application. Any negative or adverse debt showing on a consumer credit report within the last two (2) years (not related to educational or medical expenses) that is reported following a bankruptcy, or multiple bankruptcy filings will result in denial of the application. Applicants with a current Chapter 13 bankruptcy may be approved if the bankruptcy is over 3 years old, in good standing, and no negative or adverse debts have been established since.

### **EVICITION 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), or pending charges that have not yet been adjudicated 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, was dismissed, expunged, voided or invalidated, determined or adjudicated through the juvenile justice system. Owner/Agent will also not consider convictions when Applicant is participating or has completed a diversion or deferral of judgment program or for crimes that are no longer illegal in the State of Oregon.

If applicant, or any proposed occupant, has a Conviction, or pending charges that have not yet been adjudicated 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, or pending charges that have not yet been adjudicated for any of the following, subject to the results of any review process, shall be grounds for denial of the Rental Application.

- a) Felonies involving: murder, manslaughter, arson, rape, kidnapping, child sex crimes, or manufacturing or distribution of a controlled substance.
- 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 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 applicant's, or other proposed occupant's, Convictions, or pending charges that have not yet been adjudicated if applicant 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) 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:

- 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 applicant.

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 applicant 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 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

### **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, 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.

Bemrose Consulting  
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Portland, OR 97223

Phone: (800) 886-3365  
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www.bemroseconsulting.com

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

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

\_\_\_\_\_  
Date

