

CITY OF PORTLAND • LOW BARRIER FINANCIALLY RESPONSIBLE RENTAL CRITERIA FOR RESIDENCY

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 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 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.

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 per specific criteria areas.
- Inaccurate, incomplete or falsified information will be grounds for denial of the application.
- 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 income must be 2 times the monthly stated rent*, or 2.5 times the monthly stated rent if the monthly rent amount is below the maximum monthly rent for a household earning no more than 80 percent of the median household income as published annually by the Portland Housing Bureau. https://www.multifamilynw.org/PHB_Rent_Income_Limits Income sources shall include, but are not limited to: wages, rent assistance (non-governmental only), and monetary public benefits and are based on the cumulative financial resources of all financially responsible applicants. Applicants failing to qualify under this section may, at Owner/Agent's discretion, be required to pay an additional security deposit in the amount of half a month's rent.

*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.

- Twelve months of verifiable employment will be required if used as a source of income.
- 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 year's tax returns.

RENTAL HISTORY

Applicants may not be rejected for rental history that included actions to recover possession pursuant to ORS 105.105 to 105.168 if the action:

- Was dismissed or resulted in a general judgment for Applicant before Applicant submitted the application;
- Resulted in a general judgment against Applicant entered 3 or more years before the date of the application;
- Resulted in a general judgment against Applicant entered fewer than 3 years before the date of the application if the termination was based on a no-cause notice, or the result of a default judgment due to failure to appear and Applicant presents credible evidence to Owner/Agent that Applicant had already vacated the unit upon which the action was based at the time the notice of the action was served;
- Resulted in a judgment or court record that was subsequently sealed or set aside pursuant to procedures in state law;
- Insufficient rental history (unless Applicant withholds rental history information in bad faith that might otherwise form the basis for a denial);
- Information that Owner/Agent obtains from a verbal or written rental reference check with the exceptions of:
 - Defaults in rent
 - 3 or more material violations of a rental agreement within one year prior to the date of the application that resulted in notices issued to the tenant
 - Outstanding balances due to Owner/Agent
 - Lease violations resulting in a termination with cause.
- Resulted in a general judgment entered on claims that arose on or after April 1, 2020, and before March 1, 2022.

CREDIT HISTORY

Applicants may not be rejected for:

- Credit scores of 500 or higher
- Insufficient credit history (unless Applicant in bad faith withheld information that might otherwise form the basis for a denial)

- Negative information provided by a consumer credit agency indicating past due, unpaid obligations less than \$1000.00
- Balance owed for prior rental property damage in an amount less than \$500.00
- A bankruptcy filed by Applicant that has been discharged
- Chapter 13 bankruptcy filed by Applicant under an active repayment plan
- Medical, education/vocational training debt
- Unpaid rent, including rent reflected in judgments or referrals of debt to a collection agency, that accrued on or after April 1, 2020, and before March 1, 2022.

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.

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.

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, 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 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:

- A criminal conviction for misdemeanor offenses for which the dates of sentencing have occurred within the last 3 years from the date of the application (excluding court-mandated prohibitions that are present at the property for which Applicant has applied);
- A criminal conviction for felony offenses for which the dates of sentencing have occurred within the last 7 years from the date of the application (excluding court-mandated prohibitions that are present at the property for which Applicant has applied).

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) 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:

- Letter from parole or probation office;
- Letter from caseworker, therapist, counselor, etc.;
- Certifications of treatments/rehab programs;
- Letter from employer, teacher, etc.
- Certification of trainings completed;
- Proof of employment; and
- 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:

- 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.
- Notify applicant of the results of Owner/Agent's review within a reasonable time after receipt of all required information.
- 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.