

1 — Application to Rent



UPDATED

What this form is for:

This form enables Applicants to tell you about themselves so you can decide whether or not you'll rent to them. Of course, you should have a standard to evaluate an application. *Applicant Screening Guidelines (Form #45)* is a great beginning at that, but if you have a dozen or more units you should be developing your own screening guidelines. You also need to verify information an Applicant gives you.

When this form is used:

Whenever someone wants to rent from you and before you approve them, use this form. To that end, have applications available, and take a few along whenever you're showing a unit.

When you're showing a unit or talking to a prospective Tenant is not the time to decide whether or not you want to rent to that individual. Offer an application to anyone who asks. Better yet, offer an application to anyone who inquires about a rental. Guessing or deciding who you will and won't offer an application to will result in you, however unintentionally, discriminating illegally. So offering an application to everyone is a Fair Housing protection for you.

Some Owner/Agents are willing to accept applications whether they have a unit available or not. There's nothing wrong with having a waiting list. It's illegal, though, to charge a fee for putting someone on a waiting list. You need to decide at some point whether or not to accept applications when you don't have anything available or coming up. What's right for you depends on your particular circumstances. The more units you have, the more practical it is to have a waiting list. Whatever you decide, don't encourage some potential Applicants to apply while not similarly encouraging all. That, too, ends up eventually being illegal discrimination.

How the form is filled in:

Fill in the "OWNER/AGENT TO COMPLETE" and "RENT, DEPOSIT, AND FEE DISCLOSURE" sections at the top of the front of the form and the amount of any screening fee you're charging close to the bottom of the reverse side ("APPLICANT SCREENING CHARGE DISCLOSURES" see #11). However, you aren't required to fill in any of this. If, for example, you don't have a vacancy but accept applications for the next available unit, you won't have the information to fill in most of this. If you charge an application fee or you undertake certain obligations, including verbally making certain disclosures (items #3, #4 and #6-#10). Some Owner/Agents keep a waiting list, collecting an application fee from Applicants #1 and #2. They don't accept more applications, but keep a list and call the next in line (#3) if 1st Applicant doesn't come through, they always have a backup application without having too many.

1. Fill in the address of the rental unit.
2. Fill in the date and time you received the completed application. This better enables you to see who applied first. Then you can screen the applications in the order received. This also protects you from a Fair Housing claim.
3. Fill in the number of similar units you have available. If this is an apartment complex with 100 units and this is one of three one-bedroom apartments currently for rent, put "3" here. Don't count the two-bedroom units because they're not similar. If you are accepting applications for units that you expect will be coming available, count those as well. Don't obsess about this number; just put down your best guess. If you don't have any units available but are keeping a waiting list, put down "0".

4. You should indicate of how many applications you have already accepted or are pending for this unit. If this is Applicant number three, put down “3.” Don’t count withdrawn or already denied applications. The purpose of this disclosure and the number of units available is to give an Applicant an idea of the likelihood that they’ll be able to rent from you before paying the application fee. If you’ve only got one unit for rent and have six pending applications, they can guess they probably won’t get the place and maybe it isn’t worth everyone’s time to go through with the process.
5. Check one box or the other, then list what you saw; it could be something cryptic like “ORDL 1234567” (shorthand for Oregon drivers license or state ID). This is here to remind you to check identification. It’s step number one in the verification process.
6. Fill in the monthly rent. Owner/Agents can and do change the rent (such as when no one’s applying; or when those that do, don’t qualify) but don’t adjust it on the perceived quality of the Applicant.
7. Put the Security Deposit here. If you charge other, restricted deposits, they will go in #8. If you charge a last month’s rent at the beginning of a fixed-term rental agreement, that doesn’t have to be put anywhere, though it is a good idea to do so, just to save arguments and in the spirit of full disclosure. You could put an asterisk next to the Monthly Rent number (#7) and write underneath or beside it “plus last month’s rent of \$___.”
8. If you charge a “last month’s rent deposit,” that amount would be included in #8. If you charge other restricted deposits, like a pet deposit or cleaning deposit, put the sum of those here. If you advertise “pets negotiable” and then set the pet deposit amount depending on the particular pet, you can put “negotiable” here.
9. Check here if you require renter’s insurance. There are limitations, so read up on renter’s insurance.
10. List the late fee you charge. If you charge a daily late charge, put something like “\$5/day” here; if you charge 5% of the rent per five days, put “5%/5 days.”

The back of the form:

11. If you charge an application fee (technically, an application screening charge), you need to disclose the amount here.
12. A law change implemented in 2016, now allows HOA or condominium move-in, move-out fees charged by the association to be passed on to Tenants under certain circumstances. The requirement must be disclosed in writing prior to the Owner/Agent accepting any money from an Applicant. This is where you will enter the amount charged by the HOA or condominium association, so the Tenant knows what they will be required to pay. This requirement must also be clearly stated in the written rental agreement. You must bill the tenant within 30 days of receiving the bill from the association, provide a copy of the invoice at the time you bill the tenant, and provide them with up to 30 days from the date of billing to pay.

What the Tenant fills in:

Your Applicant should fill out the rest of the form. It's important to stress to the Applicant that it needs to be completely filled out. There's not a question asked that you don't want the answer to. Not completing the application is, according to most screening guidelines, grounds for denying the application. The following are some thoughts about what the Tenant needs to tell you (and why) so you can do a thorough screening job.

- A. Full name—first, middle, and last—probably doesn't matter much when you have a name like Albus Dumbledore, but it does when you have a name like Harry Potter (more than 10,000 in the US). When you look at that driver's license, be sure it has the same full name on it.
- B. E-mail addresses and cell phones are part of modern life. Some Tenants have only a cell phone; that will be how you contact them. Some Owner/Agents find e-mail a convenient way of communicating with Tenants.
- C. Social Security number, date of birth, and driver's license number are all important for ID and screening purposes. Some folks refuse to give a social security number, that should be grounds to deny the application. The birth date is to determine that they're of legal age as well as for ID and is really important for getting accurate credit report information and criminal records. Most people over 18 have either a driver's license or a state ID issued by a motor vehicles department. Be willing to listen to why someone has neither. Insist on some type of government-issued picture ID. You must have a separate application from each adult.
- D. References from the current and past Owner/Agents are extremely important. You should have a rule about how many Owner/Agent references, or references covering some particular period of time – see *Application Screening Guidelines (Form #45)* – so getting this information, the where, for how long, from whom and how to contact them, is vital to your process. Insist on the current and previous Landlord's phone numbers.
- E. Be sure each question is answered here. Just about every time someone forgets to check "yes" or "no" for the "Have you ever..." section, the reason is that the Applicant doesn't want to tell you.
- F. If animals are allowed at the property, this section is for that information. It also encourages Applicants to inform you if they intend to bring an assistance animal onto the premises. Remember though, a resident need not disclose their intention prior to applying or during the application process, and may make a Reasonable Accommodation Request at any time.
- G. Have the Applicant list all past due and/or collections accounts.
- H. A few Owner/Agents include in screening criteria that an Applicant have a certain amount in the bank. That can be helpful at the end of the tenancy, when things haven't worked out as well as you would have liked and you need to locate the individual or assets. It's easier to get the information now. It is not necessary to have the account number if the Applicant is uncomfortable providing it.
- I. You can't require that an Applicant be employed in order to approve their application, but you can require that they have income. The employment section enables the Applicant to give you information that you can verify over the telephone—if the employer will talk to you. The lines below, "Other income," are to be used for non-employment types of income: pension, social security, self-employment, food-stamps, etc. Remember, source of income is a protected class in Oregon. You can discriminate based on the amount and dependability of income, but not its source. It will save you time to require the Applicant to provide pay stubs.

H BANK INFORMATION

1) Bank: _____ Branch: _____ Checking Account #: _____
2) Bank: _____ Branch: _____ Savings Account #: _____
3) Bank: _____ Branch: _____ Type/Account #: _____

I EMPLOYMENT/INCOME

1) Current Employer: _____ How Long? _____
Supervisor: _____ Telephone: () _____ - _____
Job Title: _____ Take home pay (per month): \$ _____ Full-time Part-time
2) Previous Employer: _____ How Long? _____
Supervisor: _____ Telephone: () _____ - _____
Job Title: _____ Take home pay (per month): \$ _____ Full-time Part-time
Other Income (per month): \$ _____ Source: _____ Telephone: () _____ - _____
Other Income (per month): \$ _____ Source: _____ Telephone: () _____ - _____

J REFERENCES

1) Relative: _____ Telephone: () _____ - _____
2) Emergency Contact: _____ Telephone: () _____ - _____
3) Personal Reference: _____ Telephone: () _____ - _____

K PERSONAL PROPERTY

1) Automobile: Make _____ Model _____ Year _____ License # _____ State _____
2) Automobile: Make _____ Model _____ Year _____ License # _____ State _____
3) Other: Vehicles/Boats _____ Model _____ Year _____ License # _____ State _____

Do you own the following: Trampoline? Yes No Water-filled furniture? Yes No Fish Tank or Aquarium? Yes No

L MEMBERS OF HOUSEHOLD

For purposes of identification only, please list names and either ages or dates of birth of other persons to occupy unit:

APPLICANT SCREENING CHARGE DISCLOSURES

- 1) Owner/Agent may obtain a credit report, or a tenant screening report which generally consists of:
 - a) Credit history including credit report;
 - b) Public records, including but not limited to judgments, liens, evictions and status of collection accounts;
 - c) Current obligations and credit ratings; and/or
 - d) Criminal records or other information verification.
- 2) Owner/Agent is requiring payment of an Applicant Screening Charge \$ **11** none of which is refundable unless the Owner/Agent does not screen the applicant. This application is valid for up to 60 days from date of receipt by Owner/Agent.
- 3) Any charges imposed upon Owner/Agent by a Homeowner's or Condominium Association for anyone who moves into or out of a unit within the association, may be passed through to the Tenant(s) for payment as allowed by law. Current fee is \$ **12**.
- 4) If the mail receptacle associated with the dwelling unit is a locking type, Tenant(s) are solely responsible for the fees charged by the Postmaster for the re-keying of the box should a key not be provided by the Owner/Agent, or if the mail box has not been re-keyed between tenancies.

Incomplete applications will not be accepted. Inability to verify information may result in denial of application. Presentation of false information may result in denial of application or termination of tenancy if discovered within one year of submission of application.

I certify the above information is correct and complete and hereby authorize the Owner/Agent to make any inquiries the Owner/Agent feels necessary to evaluate my tenancy and credit standing (including, but not limited to credit reports). If Owner/Agent is requiring payment of an applicant screening charge, I acknowledge receiving a copy of and/or reading Owner/Agent's Screening Guidelines. I understand that I have the right to dispute the accuracy of any information provided to the Owner/Agent by a screening service or credit reporting agency.

No marijuana, medical or otherwise, may be grown, stored or consumed on the premises without the prior written consent of Owner/Agent.

Applicant **M** _____ Date



- J. This section is useful in an emergency and for collection agencies on a skipped Tenant. Personal references are generally not useful in screening. Who gives as a personal reference someone who won't vouch for them? Nonetheless, it can be helpful in locating an former Tenant who owes you money as well as someone to notify when unanticipated emergencies occur.
- K. You care about all this information. Some Owner/Agents limit the number of vehicles that a Tenant can park on the premises. Most Owner/Agents also figure they're renting housing, not boat and RV storage. So listing them alerts you to ask about storage arrangements for them. If you require extra deposits for a piano, water bed, or an aquarium, here's where your Tenant discloses them, enabling you to charge the deposit.
- L. You should insist on knowing who will be living in the unit. The Applicant can list the names and ages or dates of birth. Many Owner/Agents insist on dates of birth; that identifies someone, an age doesn't. You can (and should) insist that anyone 18 or older fill out a complete application.
- M. Without a signature, the form is useless. It is the signature that authorizes you to get credit reports, check references, and criminal and civil records. Get a signature.

Note 1:

Don't throw applications away; even—especially—if you don't rent to them. Keep them at least two years.

Note 2:

The owner disclosures (items #1 – 10) help you comply with several laws. Completing these sections puts you in full and unequivocal compliance with those laws. The requirement to disclose the number of units available and number of Applicants only applies if you charge an application fee.

The fee disclosure (item #11) covers the requirement (ORS 90.220) to disclose rent, deposits, and any fees before accepting "any payment" from an Applicant.

Older Editions::

The most recent edition is "Rev. 12/18"