

PORTLAND APPLICATION SCREENING GUIDELINES LOW BARRIER

Property Address: _____

APPLICATION PROCESS

- We offer an Application form to everyone, and review Applications in the order received in accordance with City of Portland ordinance 30.01.086.
- Notice of Unit Availability must be posted for 72 hours prior to accepting Applications, and must include the time/date of when Applications will be accepted. If Owner/Agent is assessing a Screening Charge pursuant to ORS 90.295, the amount of the Screening Charge is \$_____, and screening criteria are enumerated below. Any applications submitted prior to the deadline, will incur an 8-hour penalty.
- If the Dwelling Unit is ADA accessible as a Type A Unit in accordance with the Oregon Structural Building Code and ICC A117.1, providing accessibility for wheelchair users throughout the unit, Applicants who self-identify as Mobility Disabled, will be given preference for the unit.
- Applicants are encouraged to review their rights prior to submitting an Application. Applicants may view the PHB Statement of Applicant Rights at <https://www.portland.gov/phb/rental-services>.

NONDISCRIMINATION POLICY



- We do business in accordance with Fair Housing Law.
- We do not discriminate among Applicants based on membership in a protected class including, race, color, religion, sex, sexual orientation, national origin, disability, marital status, familial status, source of income, or any other protected class as defined in any federal, state or local law.

SCREENING GUIDELINES

Complete Application

- Each Applicant over the age of 18 must submit an individual Application.
- Applications must be signed and dated. We will not review incomplete Applications.
- Applicants must provide two pieces of identification reasonably calculated to confirm identity. One must be government issued and one must include a photograph.
- We will accept the first qualified Applicant(s).

Acceptable Forms of ID

- 1) SSN
- 2) Valid Permanent Resident Alien Registration Receipt Card
- 3) Immigrant Visa
- 4) ITIN
- 5) Non-immigrant Visa
- 6) Any government-issued ID regardless of expiration date
- 7) Any ID or combination of ID's that would permit a reasonable verification of identity.

Prior Rental History

- Favorable rental history of _____ years must be verifiable from unbiased and unrelated sources.
- No evictions within the past three years. We do not consider evictions which took place three years or more ago, nor do we consider evictions which resulted in a dismissal or a general judgment for the Applicant. We also do not consider eviction judgments that were rendered during the COVID-19 Protected Period (April 1, 2020 - February 28, 2022.)
- Applicants must provide the information necessary to contact past Landlords.

Income/Resources

- 1.) Rent vs income calculations must include all cumulative sources of income for all financially responsible Applicants, including non-governmental Rent assistance.
- 2.) Income requirements are based upon the PHB Rental Housing Application and Screening Minimum Income Requirement Table: https://www.portland.gov/phb/rental-services/files/2021/table-30.01.086.d.2.a-b_2021.pdf
- 3.) If the monthly Rent Amount is below the amount listed for the number of bedrooms in a Dwelling Unit, Owner/Agent can require an Applicant(s) to demonstrate a monthly gross income of up to but not greater than 2.5 times the amount of the Rent.
- 4.) If the monthly Rent Amount is at or above the amount listed for the number of bedrooms in a Dwelling Unit, Owner/Agent can require Applicant(s) to demonstrate a monthly gross income of up to but not greater than 2 times the amount of the Rent.
- 5.) If an Applicant fails to meet the income criteria, Owner/Agent may require an additional Security Deposit as specified in 30.01.087 A, limited to an additional half-months' Rent or a qualified Co-Signer.
 - a. If the tenancy is secured by a Co-Signer, Owner/Agent may require the Co-Signer to demonstrate financial capacity. If the Guarantor is a friend or family member, Owner/Agent may require that individual to prove no more than three times the Rent Amount to qualify, excepting nonpayment balances that accrued during the COVID-19 Emergency Period (April 1, 2020 - June 30, 2021.)

Credit History

- We may require you to submit a copy of your credit report obtained within the past 30 days.
- Negative credit reports may result in denial of Application. Negative reports include, but are not limited to: late payments, collections, judgments, total debt load, and pending bankruptcy excepting nonpayment balances that accrued during the COVID-19 Emergency Period (April 1, 2020 - June 30, 2021.)

Criminal History

- Criminal convictions or pending charges which may result in an Application denial include, but are not limited to: drug-related crimes, person crimes, sex offenses, any crimes involving financial fraud (including identity theft or forgery), or any other crime that would adversely impact the health, safety or right of peaceful enjoyment of the premises of the Residents or Owner/Agent but not including pending charges or crimes that are no longer illegal in the state of Oregon, or charges that are pending but for which the Applicant is presently participating in a diversion, conditional discharge or deferral of judgment program on the charges.
- Criminal history will be evaluated on a case-by-case basis, taking into consideration the nature and severity of the incidents that would lead to denial, the number and type of incidents, the time that has elapsed since the date the incidents occurred, and the age of the individual at the time the incidents occurred.
- Applicants are encouraged to provide Supplemental Information to explain, justify or negate the relevance of potentially negative screening outcomes.



Explanations/Exceptions

- All Applicants may submit a written explanation with their Application if there are extenuating circumstances which require additional consideration.
- If, after making a good faith effort, we are unable to verify information on your Application, or if you fail to pass any of the screening criteria, the application process will be terminated.
- Applicants may be rejected based on the demeanor in which they treat the Owner/Agent or other parties present.

FALSIFICATION OR MISREPRESENTATION OF ANY PART OF THE APPLICATION WILL BE GROUNDS FOR DENIAL.

Approval/Acceptance Process

If your Application is approved, please be advised of the following process and timelines for move-in:

- Upon notification of Application approval, Applicant must tender the Deposit-to-Hold in the full amount of the required Deposits in certified funds only within two business days, unless otherwise agreed. Failure to submit funds timely may result in denial of tenancy.
- All Applicants must sign and return the Deposit-to-Hold Agreement. If Applicant is out of the area, signature must be notarized and original sent to Owner/Agent promptly. Failure to sign the Deposit-to-Hold or mail notarized forms within two business days may result in denial of tenancy.
- Rent begins the day after the Owner/Agent receives the Deposit-to-Hold or the day the unit is move-in ready, whichever comes last.
- Upon notification of Move-in Date, Tenant must transfer all applicable utilities as outlined below to begin on that date. Failure to set up utilities by the scheduled Move-in Date (regardless of whether or not the Tenant(s) takes occupancy on that date) may result in denial of occupancy until such time as utilities are transferred and any amounts owing are paid.
- If the Rental Agreement is secured by a Co-Signer, all finalized, original Co-Signer documents must be presented at time of move-in, or transfer of possession will not occur until they are delivered, but Rent will accrue from the original Move-in Date.

If an Application or a group of Applications is/are approved, Applicant(s) will have ____ business days to either execute a Rental Agreement, pay all moneys due, and take possession of the unit if the unit is rent-ready. If the unit is not rent-ready, Applicant must submit the Security Deposit in full within the above-referenced time frame, and sign a Deposit-to-Hold Agreement in order to secure their right to rent the unit. Failure to follow through within the time frame indicated will be deemed a refusal of the unit, and Applicant(s) will lose their place in line.

Rent accrues from the date the property is ready or the Date of Approval, whichever comes last, regardless of when Applicant/Tenant moves into the Dwelling Unit. Applications are valid for 60 days from the date of submission for any properties owned or managed by Owner/Agent.

Owner/Agent may refuse to accept an Application under the following circumstances:

1. **Application is incomplete**
2. **Applicant fails to provide information to confirm identity or income**
3. **Applicant has intentionally withheld or misrepresented required information.**
4. **Applicant has verifiable repeated violations of the Rental Agreement with the same Landlord. Most recent violation must have occurred within the past 365 days from the date the Application is submitted, and past landlord must provide copies of the violation notices.**

Screening Guidelines – Low Barrier

In addition to the screening criteria listed on page 1, Low Barrier screening criteria will be applied as follows:

1) Criminal History

Denial for criminal history will not include the following:

- An arrest that did not result in conviction, unless pending on the date of Application; participation in or completion of, a diversion or a deferral of judgment program; a conviction that has been judicially dismissed, expunged, voided or mandated; a conviction for a crime that is no longer illegal in Oregon; a conviction or determination through the juvenile justice system; a misdemeanor conviction with a sentencing date older than three years; or a felony conviction with a sentencing date older than seven years.

2) Credit History

Screening for credit history may require a credit score of at least 500, but will not include:

- Insufficient credit history; past due collections less than \$1000; damage balances owed to prior Landlords of less than \$500; discharged bankruptcy; Chapter 13 bankruptcy under active repayment; medical, vocational or educational training debt.

3) Rental History

Screening for rental history will not include the following:

- Eviction history if the case was dismissed or won by the Applicant; an eviction judgment more than three years old; an eviction judgment less than three years old if the basis for the action was a No Cause Notice, or judgment was issued by default and Applicant can provide credible evidence that they had already vacated the unit at the time the notice was served; or a judgment that was subsequently set aside or sealed.
- Owner/Agent will only deny for rental history reports that indicate Rent defaults; three or more material violations of the Rental Agreement one year prior to application AND that resulted in notices issued to Tenant; an outstanding balance due for a prior tenancy over \$500; termination of tenancy for cause; or insufficient rental history unless Applicant in bad faith withholds rental history information.

Low Barrier screening criteria for non-financially responsible Tenants is identical to above but only for factors related to maintaining the property, and for conduct consistent with the health, safety and peaceful enjoyment of the premises by other Residents or the Landlord and to evaluate prospective Tenants' ability to comply with the Landlord's Rules of Residency.

A Landlord may not screen a Non-Applicant Tenant for financial responsibility.

Upon receipt of Application, Owner/Agent will notify each Applicant in writing of the determination within two weeks of completing the evaluation. If Application is denied, Applicant will receive an explanation of the reasons and a further explanation of why any Supplemental Evidence provided did not adequately compensate for the factors leading to the denial.

I certify that I received a copy of this form and hereby authorize Owner/Agent to do a credit check and make any inquiries deemed necessary to evaluate my tenancy and credit standing – including but not limited to, credit reports. I understand that I have the right to dispute the accuracy of any information provided by a screening service or credit reporting agency.

Applicant Printed Name

Applicant Signature

Date





Portland Housing Bureau

Rental Services Office

Director Shannon Callahan

421 SW 6th Avenue, Suite 500 • Portland, OR 97204

PHONE 503-823-1303 • FAX 503-865-3260

portlandoregon.gov/phb/rso

Rental Services Helpdesk Hours

MON, WED, FRI 9–11am and 1–4pm

Right to Request a Modification or Accommodation Notice Required Under Portland City Code Title 30.01.086.C.3.B

Within the City of Portland, a landlord is required to include this notice with application forms for the rental of a dwelling unit.

State and federal laws, including **the Fair Housing Act**, make it illegal for housing providers to refuse to make **reasonable accommodations** and **reasonable modifications** for individuals with disabilities. All persons with a disability have a right to request and be provided a reasonable accommodation or modification at any time, from application through to termination/eviction.

Some examples of reasonable accommodations include:

- Assigning an accessible parking space
- Transferring a tenant to a ground floor unit
- Changing the rent payment schedule to accommodate when an individual receives public benefits
- Allowing an applicant to submit a housing application via a different means
- Allowing an assistance animal in a "no pets" building. More information about assistance animals is available [here](https://www.hud.gov/program_offices/fair_housing_equal_opp/assistance_animals)
https://www.hud.gov/program_offices/fair_housing_equal_opp/assistance_animals

Some examples of reasonable modification include:

- Adding a grab bar to a tenant's bathroom
- Installing visual smoke alarm systems
- Installing a ramp to the front door

Under fair housing laws, a person with a disability is someone:

- With a physical or mental impairment that substantially limits one or more major life activities of the individual;
- With a record of having a physical or mental impairment that substantially limits one or more major life activities of the individual; or
- Who is regarded as having a physical or mental impairment that substantially limits one or more major life activities.

Major life activities include, but are not limited to seeing, walking, reaching, lifting, hearing, speaking, interacting with others, concentrating, learning, and caring for oneself.



Reasonable Accommodations

A reasonable accommodation is a change or exception to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling. This includes public use and common spaces or fulfilling their program obligations. Any change in the way things are customarily done that allows a person with a disability to enjoy housing opportunities or to meet program requirements is a reasonable accommodation.

All housing or programs are required to make reasonable accommodations. Housing providers may not require persons with disabilities to pay extra fees or deposits or any other special requirements as a condition of receiving a reasonable accommodation.

Reasonable Modifications

A reasonable modification is a structural change made to the premises in order to afford an individual with a disability full enjoyment of the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings and to public use and common areas.

Under federal law, public housing agencies, other federally assisted housing providers, and state or local government entities are required to provide and pay for structural modifications as reasonable accommodations/modifications. For private housing, the person requesting the reasonable modification will need to cover the costs of the modification.

Verification of Disability

In response to an accommodation or modification request and only when it is necessary to verify that a person has a disability that is not known or apparent to the housing provider, they can ask an applicant/tenant to provide documentation from a qualified third party (professional), that the applicant or tenant has a disability that results in one or more functional limitation. If the disability-related need for the requested accommodation or modification is not known or obvious, the housing provider can request documentation stating that the requested accommodation or modification is necessary because of the disability, and that it will allow the applicant/tenant access to the unit and any amenities or services included with the rental equally to other tenants.

A housing provider cannot inquire into the nature or extent of a known or apparent disability or require that an applicant or tenant release his or her medical records. Housing providers can require that the verification come from a qualified professional, but they cannot require that it be a medical doctor.

Nondiscrimination laws cover applicants and tenants with disabilities, as well as applicants and tenants and without disabilities who live or are associated with individuals with disabilities. These laws also prohibit housing providers from refusing to rent to persons with disabilities, making discriminatory statements, and treating persons with disabilities less favorably than other tenants because of their disability.

Under fair housing laws, it is illegal for a housing provider to deny reasonable accommodations and reasonable modifications to individuals with disabilities. If wrongfully denied an accommodation or modification contact HUD or the Fair Housing Council of Oregon. Time limits apply to asserting any legal claims for discrimination.

Call HUD toll-free at 1-800-669-9777 or TTY 1-800-927-9275 or visit https://www.hud.gov/program_offices/fair_housing_equal_opp/complaint-process

HUD will investigate at no cost to the complainant.

For more information about reasonable accommodations and modifications visit www.hud.gov/program_offices/fair_housing_equal_opp/reasonable_accommodations_and_modifications

Call the Fair Housing Council of Oregon at (503) 223-8197 ext. 2 or <http://fhco.org/index.php/report-discrimination>.

SAMPLE



If you believe you have been harassed or discriminated against because of your race, color, national origin, religion, gender, familial status, disability, marital status, source of income, sexual orientation including gender identity, domestic violence, type of occupation, or age over 18 seek legal guidance regarding your rights under Fair Housing law.

For translation or interpretation, please call 503-823-1303
TTY at 503-823-6868 or Oregon Relay Service at 711

503-823-1303: Traducción e interpretación | Chuyển Ngữ hoặc Phiên Dịch | 翻译或传译
Письменный или устный перевод | 翻訳または通訳 | Traducere sau Interpretare
번역 및 통역 | Письмовий або усний переклад | Turjumida ama Fasiraadda
الترجمة الشفوية والكتابية | ການປຸງພາສາ ຫຼື ການອະທິບາຍ

This requirement is in addition to any other rights and responsibilities set forth in the Oregon Residential Landlord and Tenant Act under Oregon Revised Statute Chapter 90, and Portland Landlord-Tenant Law under Portland City Code Title 30.

The information in this form is for educational purposes only. You should review appropriate state statute, city code, and administrative rule as necessary. If you need legal guidance, or are considering taking legal action, you should contact an attorney.