

**C & R Real Estate Services Co**  
**City of Portland Non-Financially Responsible**  
**RESIDENT SCREENING AND SELECTION POLICY**

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As part of the application process, C&R Real Estate Services Co. (C&R) may obtain an Investigative Consumer Report, which may include information on your character, general reputation, personal characteristics and mode of living.

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.

C&R is in total compliance with State and Local Federal Fair Housing Laws. No person(s) shall be discriminated against on the basis of race, religion, sex, disability, familial status, age, National origin, source of income, marital status or sexual orientation. Our goal is to be consistent and apply all of our criteria and regulations equally to all applicants.

**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.

Two persons are allowed per bedroom plus one additional person, for the entire unit. Exceptions are made for children under the age of two. Children under the age of two are allowed as an additional occupant when the child resides with the parent or other adult(s) maintaining proper legal custody.

| Apartment Size | Maximum Occupancy |
|----------------|-------------------|
| Studio         | 3 persons         |
| One bedroom    | 3 persons         |
| Two bedroom    | 5 persons         |
| Three bedroom  | 7 persons         |

**Owner/Agent's Evaluation Process**

All persons 18 years or older who will be occupying the unit are required to complete a separate rental application. Each Non-Financially Responsible person must sign the separate rental application form and applicant screening consent form. Completed applications will be processed in order of time received. When more than one person is applying in a household, all applications must be complete in order to consider the household application completed. The first household application to qualify shall be entitled to rent the unit. The application must be completely filled out. Incomplete applications will result in denial of the application.

Applicants must be legally able to enter into a binding contract, rental or lease agreement. Applicants are required to verify their name, date of birth, and photo by providing any of the following items, or a combination thereof:

- 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 or identifications that would permit a reasonable verification of identity

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 will 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.

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 approval date. 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.

Upon receipt of the screening results, C&R will apply the following standard criteria for APPROVAL:

**I. Rental History Criteria**

1. Rental history reflecting past due and unpaid rent/fees to a landlord will be denied.
2. 12 months of verifiable contractual rental history from a current unrelated, third party landlord or home ownership is required. The applicants name must have been on the rental or lease agreement to qualify as a reference.
3. Three (3) or more Notices for Non-Payment of Rent within a period of one year will result in denial.
4. Three (3) or more dishonored checks within a period of one year will result in denial.
5. Three (3) or more noise disturbances or any other material noncompliance with the Rental Agreement or rules within the past two years will result in a denial.

**Eviction History Criteria**

Five (5) years of recent consecutive eviction free history is required. Eviction actions that were dismissed or resulted in a judgement for the applicant will not be considered.

**Rent Well Graduates**

If applicant fails to meet any criteria related evictions and/or rental history, and applicant has received a certificate indicating satisfactory completion of a resident 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 community 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.

**II. Criminal Conviction**

Upon receipt of the Rental Application, 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 resident 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 in or has completed a diversion or deferral or judgement 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.

1. Felonies involving: Murder, manslaughter, arson, rape, kidnapping, child sex crimes, or manufacturing or distribution of a controlled substance.
2. Felonies not listed above involving: drug-related crimes, person crimes, sex offenses, financial fraud crimes, burglary, theft, criminal mischief, coercion, animal abuse, 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 resident or the health, safety or right of peaceful enjoyment of the premises of the residents, the landlord or the landlords agent, where the date of disposition has occurred in the last 7 years.
3. 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 date of disposition has occurred in the last 5 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 resident or the health, safety or right of peaceful enjoyment of the premises of the residents, the landlord or the landlords agent, where the date of disposition has occurred within the last 3 years.
5. Conviction of any crime that requires active registration as a sex offender at time of rental application 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:
  - o Letter from parole or probation office;
  - o Letter from caseworker, therapist, counselor, etc.;
  - o Certifications of treatments/rehab programs;
  - o Letter from employer, teacher, etc.
  - o Certification of trainings completed;
  - o Proof of employment; and
  - o Statement of the applicant.

Owner/Agent will:

- (a) Consider relevant individualized evidence of mitigating factors, which may include:
    - o The nature and severity of the incidents leading to a denial;
    - o The number and type of incidents;
    - o The time elapsed since the date incidents occurred; and
    - o The age of the individual at the time the incidents occurred
  - (b) Notify applicant of the results of Owner/Agent's review within a reasonable time after receipt of all required information.
  - (c) Not hold the unit for which the application was received to complete the review process. The next available unit of Applicant's preferred floor plan will be offered if denial is overturned on appeal.
- Owner/Agent may request additional information and may consider whether there have been multiple Convictions as part of this process.

### **III. Assisted Living Criteria**

Applicants requiring the assistance of a permanent or temporary live-in caregiver will be required to have the caregiver submit a Non-Financially Responsible Application. A criminal background check will be performed. Caregiver must meet screening requirements regarding criminal history or their application will be denied.

### **IV. 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 Bemrose Consulting by mail, by phone or in person.

Bemrose Consulting

12655 SW Center St., Suite 540

Beaverton, OR 97005

Phone: (800) 886-3365

Fax: (800) 785-1569

[www.bemroseconsulting.com](http://www.bemroseconsulting.com)

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

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(Applicant)

Date

## A Summary of your Rights Under the Fair Credit Reporting Act

Para información en español, visite [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness and privacy of information in the files of consumer reporting agencies (CRA's). There are many types of CRA's, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is summary of your major rights under the FCRA. For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

You may have additional rights under Maine's FCRA, Me. Rev Stat. Ann. 10, Sec 1311 et seq.

**V.** You must be told if information in your file has been used against you. Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address and phone number of the agency that provided the information.

**VI.** You have the right to know what is in your file. You may request and obtain all the information about you in the files of a CRA (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:

1. A person has taken adverse action against you because of information in your credit report;
2. You are the victim of identity theft and place a fraud alert in your file;
3. Your file contain inaccurate information as a result of fraud;
4. You are on public assistance;
5. You are unemployed but expect to apply for employment within 60 days.

In addition, as of September 2005 all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty CRA's. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for additional information.

**VII.** You have the right to ask for a credit score. Credit scores are numerical summaries of your credit worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.

**VIII.** You have the right to dispute incomplete or inaccurate information. If you identify information in your file that is incomplete or inaccurate and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for an explanation of dispute procedures.

**IX.** CRA's must correct or delete inaccurate, incomplete or unverifiable information. Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However a CRA may continue to report information it has verified as accurate.

**X.** CRA's may not report outdated negative information. In most cases, a CRA may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.

**XI.** Access to your file is limited. A CRA may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.

**XII.** You must give your consent for reports to be provided to employers. A CRA may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore)

**XIII.** You may limit "prescreened" offers of credit and insurance you get based on information in your credit report. Unsolicited "Prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-567-8688.

**XIV.** You may seek damages from violators. If a CRA, or, in some cases, a user of consumer reports or a furnisher of information to a

CRA violates the FCRA, you may be able to sue in state or federal court.  
**XV.** Identity theft victims and active duty military personnel have additional rights. For more information, visit [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under the state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:

| TYPE OF BUSINESS:   | CONTACT:   |
|---|--|
| 1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates.<br>b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the Bureau:  | <ul style="list-style-type: none"> <li>• Consumer Financial Protection Bureau<br/>1700 G Street NW<br/>Washington, DC 20552</li> <li>• Federal Trade Commission: Consumer Response Center – FCRA<br/>Washington, DC 20580<br/>(877) 382-4357</li> </ul>  |
| 2. To the extent not included in item 1 above:<br>a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks<br>b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and insured state branches of foreign banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act<br>c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations<br>d. Federal Credit Unions | <ul style="list-style-type: none"> <li>a. Office of the Comptroller of the Currency- Customer Assistance Group<br/>1301 McKinney Street, Suite 3450<br/>Houston, TX 77010-9050</li> <li>b. Federal Reserve Consumer Help Center<br/>P.O. Box 1200<br/>Minneapolis, MN 55480</li> <li>c. FDIC Consumer Response Center<br/>1100 Walnut Street, Box #11<br/>Kansas City, MO 64106</li> <li>d. National Credit Union Administration -Office of Consumer Protection (OCP)<br/>Division of Consumer Compliance and Outreach (DCCO)<br/>1775 Duke Street<br/>Alexandria, VA 22314</li> </ul> |
| 3. Air carriers   | Asst. General Counsel for Aviation Enforcement & Proceedings<br>Department of Transportation<br>1200 New Jersey Avenue, S.E.<br>Washington, DC 20590   |
| 4. Creditors Subject to Surface Transportation Board  | Office of Proceedings, Surface Transportation Board<br>Department of Transportation<br>395 E Street SW<br>Washington, DC 20423   |
| 5. Creditors Subject to Packers and Stockyards Act  | Nearest Packers and Stockyards Administration area supervisor  |
| 6. Small Business Investment Companies  | Associate Deputy Administrator for Capital Access<br>United States Small Business Administration<br>409 Third Street, SW, 8th Floor<br>Washington, DC 20416  |
| 7. Brokers and Dealers  | Securities & Exchange Commission<br>100 F St NE<br>Washington, DC 20549  |
| 8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations  | Farm Credit Administration<br>1501 Farm Credit Drive<br>McLean, VA 22102-5090  |
| 9. Retailers, Finance Companies, and All Other Creditors Not Listed Above   | FTC Regional Office for region in which the creditor operates or<br>Federal Trade Commission: Consumer Response Center – FCRA<br>Washington, DC 20580<br>(877) 382-4357  |