

**Office of Commissioner Eudaly – Individualized assessment model**  
**Rough draft concept – For Discussion Purposes Only**

When evaluating an applicant, a landlord may consider any aspect of a person’s background or history that is relevant to that person’s predicted performance as a tenant. Landlords must value and weigh individual aspects of the person’s application in accordance with this section.

	<b>Non-denial</b>	<b>Conditional Denial</b>
<b>Policy</b>	The following are considered to be of little or no relevance to an applicant’s predicted performance as a tenant, and therefore the presence of which on an application cannot alone, or in combination with any other element listed in this category, form the basis for denial of tenancy.	The following are considered to be relevant to an applicant’s predicted performance as a tenant, but cannot constitute the basis for denial of an applicant if that applicant presents credible supplemental evidence.  Positive offsets listed must be taken into consideration but landlords are not limited to only those offsets listed.
<b>Step 1 Review of Application</b>	<input type="checkbox"/> Low credit score <input type="checkbox"/> No credit history, unless purposefully withheld <input type="checkbox"/> No previous rental history, unless purposefully withheld <input type="checkbox"/> Property debt under \$300 <input type="checkbox"/> Bankruptcy older than 5 years <input type="checkbox"/> Adverse accounts of 3 or less <input type="checkbox"/> Medical or secondary education debt <input type="checkbox"/> Court action when: <input type="checkbox"/> It was dismissed or resulted in a general judgment for the applicant before the applicant submits the application. <input type="checkbox"/> It resulted in a general judgment against the applicant that was entered five or more years before the applicant submits the application. <input type="checkbox"/> Noise or general lifestyle complaints <input type="checkbox"/> FED judgment 5 years or older for any cause <input type="checkbox"/> FED judgement older than 3 years for non-payment of rent <input type="checkbox"/> FED judgment within 5 years when: <ul style="list-style-type: none"> <li>○ The initial termination of tenancy preceding the FED action was without cause (No-cause eviction)</li> </ul>	<input type="checkbox"/> Any credit history condition not listed in the Non-Denial category  <input type="checkbox"/> Any rental or eviction history condition not listed in the Non-Denial category  <input type="checkbox"/> Any criminal history condition not listed in the Non-Denial category  <input type="checkbox"/> Any combination of 4 or more credit history conditions listed in the Non-Denial category  <input type="checkbox"/> Any combination of 3 or more rental history conditions listed in the Non-Denial category

- The FED judgment was for non-payment of rent if the reason for the non-payment was that tenant could not absorb a rent increase of 10% or more,
- The FED judgment was a default judgment due to tenant's failure to appear, if tenant presents credible evidence in the tenant's application that the tenant did not receive actual notice of the hearing and did not know to appear
- Less than 3 violation notices that did not result in eviction in a 12 mo period.
- Criminal history that shows: a) an arrest without conviction, diversion or deferral program, expunged or dismissed records, conviction in juvenile justice system, convictions for offenses no longer illegal.
- Criminal convictions older than three years from date of sentencing or 1 year from release for:
  - Felony assault and battery
  - Misdemeanor domestic violence
  - Robbery offenses (no weapon)
  - Sex offenses (non-forcible)
  - Stalking
  - Felony burglary or felony breaking and entering offenses
  - Theft, stolen property, or fraud-related offenses when the history shows two or more felony convictions within the timeframe in this section,
  - Felony destruction, damage, or vandalism of property offenses,
  - Drug possession when the history shows two or more felony convictions within the timeframe in this section,
  - Drug Manufacture, distribution or possession with the intent to distribute, or
  - Weapons offenses, other than use of a firearm against a person,

	<ul style="list-style-type: none"> <li><input type="checkbox"/> Criminal convictions older than 1 year from date of sentencing or 1 year from release for driving under the influence-related offenses, when the history shows two or more convictions within the timeframe in this section.</li> <li><input type="checkbox"/> Two or more convictions within 10 years from the date the applicant submits the application for any crime listed above.</li> <li><input type="checkbox"/> A criminal conviction older than 7 years for any conviction, the date of conviction being the date of sentencing, or more than 4 years from the date of release, whichever is latest.</li> </ul>	
--	---	--

<p><b>Step 2 Supplemental Evidence</b></p>	<p>If no other negative aspects outside of those in the low risk category, landlord must approve. If other negative aspects that are not low risk, move to analysis in Conditional Denial.</p>	<p>a) Under this ordinance, "Supplemental evidence" may include, but is not limited to:</p> <ul style="list-style-type: none"> <li>i) Proof of rental payments to a prior landlord,</li> <li>ii) Credit score,</li> <li>iii) Proof of job or income stability,</li> <li>iv) Proof of payment toward outstanding debt,</li> <li>v) Completion of Rent Well program,</li> <li>vi) Availability of a co-signer,</li> <li>vii) Demonstrated or formal relationship with a service provider for rent assistance or other support services,</li> <li>viii) Participation in a rehabilitation program, including but not limited to a certification program that assists people with criminal histories to evidence reform,</li> <li>ix) Evidence of work to address outstanding debt, or</li> <li>x) Explanation for changed circumstances or reform that would decrease likelihood that tenant would repeat historical adverse behavior (e.g., crime, property damage, etc.), or</li> <li>xi) Any other information, whether written or oral, that the applicant believes to be relevant to the applicant's predicted performance as a tenant.</li> </ul>
--	--	--