

How to Speak to Applicants about the Criminal & Eviction Screening Criteria

Bemrose Consulting will conduct a public records search on each applicant in order to obtain the applicant's criminal & eviction history. This means that the applicant's name and date of birth will be input into government databases for all the locations in which the applicant has had a presence. Bemrose Consulting determines the jurisdictions where the applicant has had a presence based on the application, the credit report, driver's license and any other public information that is uncovered.

Whenever a criminal record or eviction filing is found that is relevant to the screening criteria, that record/filing is reported to the landlord on the screening report. THIS MEANS if there is a lifetime disqualifier in the screening criteria; it will be reported if discovered by the screening agent. This aspect is very important for the applicants to understand, particularly with regard to the questions that are asked on the application regarding criminal history and eviction history. If the question is answered incorrectly, EVEN if this is not done intentionally, it is a disqualifier and the report will indicate that there was false/discrepant information.

How should members of the leasing team speak with the applicants about criminal and eviction screening criteria?

1. YOU ARE NOT THE SCREENING COMPANY. You cannot qualify an applicant's criminal or eviction history. So if the applicant is asking your advice about whether they could get approved or not based on x, y, & z your response should be:

"It depends on the results of the background screening. The screening results are purely derived from public records and information obtained from third-party sources. If you would like some help navigating the criminal and eviction criteria, you are welcome to call Bemrose Consulting and they will offer some clarification on the screening criteria."

2. NEVER make statements about an applicant's probability of getting approved or denied. Avoid phrases such as:
 - Yeah, that will be OK.
 - We can work with that.
 - That shouldn't be an issue.

Here is the "WHY" - Applicants often don't know their own criminal or eviction history. They may have confused details about their record and this misinformation can greatly affect the screening results.

3. There will be "contextual information" given to the leasing team that makes the on-site staff sympathetic towards the applicant. HOWEVER, the "contextual information" will not be considered by the screening company. ONLY information obtained from public records will be considered regarding criminal and eviction history. If the applicant has supplemental evidence that they wish to provide to offset any criteria disqualifiers it is the LANDLORD who will do the individualized assessment. The screening company DOES NOT take this supplemental evidence into consideration with regard to the screening report. If applicants wish to appeal the screening decision, they would do so directly with the landlord as the screening company is not involved in appeals.
4. If information is not disclosed on the application or if something is left off of the application, the assumption is that it was done intentionally to hide something. Ensure the applicant lists everything on the application. Full disclosure should be the policy.
5. DO NOT COACH THE APPLICANT. This is a FAIR HOUSING issue. Your response should always be, "Put everything on the application". Be prepared to give the applicant additional sheets of paper if they are filling out a paper application and run out of room. When in doubt - send the screening company everything the applicant provides; we can figure out what we need and don't need.