

Renter's Rights Checklist

Think back to when you first started looking for housing to rent. Did any of the following happen? If so, you may have a claim for discrimination. If you can remember dates, be sure to write those down next to the sentences below. Refer to this document when filling out your [claim paperwork](#) to make sure you include everything that happened. If you decide to talk to an attorney, bring this checklist with you.

The lease, the ads, the listings

- The ad for the listing said "no felonies," "no conviction," or in some other way discouraged me from applying because of my record.
- The price, terms, and conditions of a lease were changed based on the applicant's background. For example, if your landlord required an extra deposit or higher rent because of your background.
- The landlord did not show me (the applicant) a listing because of my record.
- When I called and told them I had a record, they told me they don't rent to people with convictions.

Disclosures made to applicants before they pay their application fee

- The landlord did not let me know about the Tenant Selection Criteria before I paid my application fee. Tenant Selection Criteria must explain how tenants are selected and what type of information the landlord will consider.
- The landlord only informed me about some of the Tenant Selection Criteria, not everything.
- The landlord did not tell me I have the right to submit extra information explaining my background check results.
- The landlord did not give me a copy of the [procedural rules under the Just Housing Amendment](#) OR the website, address, and phone number for the County Human Rights Commission.

Asking an applicant about their arrest or conviction history before making a conditional housing offer

- The landlord asked me if I had any criminal charges, convictions, or pending cases on the application form, during a phone call before applying, or while showing me the property.
- The landlord didn't tell me I was qualified for the unit, but asked me about my conviction history anyway.
- The landlord did a background check before telling me I was eligible for the unit.
- The landlord did not tell me they were running a background check.
- The application had a box for me to check asking if I was convicted of a crime.

What did the criminal background check cover?

- ❑ The landlord used a conviction that happened more than 3 years ago to deny my application.
- ❑ The landlord considered one or more of the following in my record: arrests, charges, or citations; participation in a diversion or deferral of judgment program; sealed, expunged, or pardoned records; or juvenile records.

Sharing the results of the background check

- ❑ The landlord did not give me a copy of the background check within 5 business days of getting it.
- ❑ The landlord denied my application before giving me a copy of the criminal background check.
- ❑ The landlord did not tell me that I had 5 business days to explain why the background check was wrong, submit evidence of rehabilitation, or submit other information that explains my arrest or conviction.
- ❑ The landlord denied me without giving me at least 5 business days from the date of the background check results to submit more information.

If your conviction was related to a disability, learn more about [requesting a reasonable accommodation](#).

Looking at each conviction from the past three years separately

- ❑ The landlord denied my application because of a conviction that was more than 3 years old.
- ❑ I have a conviction from the last 3 years, but the landlord didn't give me a [written notice](#) before denying my application.
- ❑ My landlord did an assessment and gave me a copy in writing, but did not consider everything about my situation. Think about whether your landlord looked at:
 - type and seriousness of the offense,
 - nature of sentencing,
 - number of conviction(s),
 - length of time that has passed since the conviction,
 - your age,
 - evidence of rehabilitation, (e.g. successfully completed probation, reentry programs, or involvement in community or support groups)
 - your housing history before and after the conviction, and
 - disability-related factors.
- ❑ My landlord denied me because of a recent conviction but didn't explain why my conviction was a demonstrable risk. "Demonstrable risk" means that there is a clear likelihood of harm to the property or other people on the property.
- ❑ I have a disability, and the landlord decided there was a "demonstrable risk" without thinking about reasonable accommodations that would reduce the risk.
- ❑ The denial did not include information about my right to file a complaint with the County Human Rights Commission.

- The landlord gave me a written individualized assessment with the denial, but I disagree with the analysis or reasoning.
- The landlord did not keep my information confidential.