

APPLICATIONS & SCREENING in the CITY OF PORTLAND



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tenants

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As of March 1st, 2020, Portland laws changed. Here's what you need to know:

APPLYING

LANDLORD ACTIONS:

- Wait 72 hours after posting the unit before accepting applications
- List screening criteria & cost
- Track order applications are received

RENTER ACTIONS:

- Wait until the application period opens to avoid an 8-hour delay penalty in processing your application
- Keep records of when application was submitted. If requested, landlords have to send the date they received the application within 5 business days



FEES

LANDLORD ACTIONS:

- There are limits on what landlords can charge based on whether they use a screening company†

RENTER ACTIONS:

- Check that your screening fee is not more than originally listed
- Ask if landlords use a screening company and what they charge

I.D. & CITIZENSHIP

LANDLORD ACTIONS:

- Landlords cannot require proof of immigration status or social security number

RENTER ACTIONS:

- Provide any of the following forms of I.D.:
 - Reasonable non-government I.D. (like a work I.D. card)
 - Any government-issued I.D. (even expired)
 - Individual Taxpayer Identification Number
 - Immigrant or non-immigrant visa
 - Permanent resident card
 - Social security card

EXEMPTIONS: These requirements don't apply for the following:

- Certain affordable housing units†
- Units not rented to, or advertised to, general public
- Units shared with the landlord (as their primary residence)
 - Living in an ADU or duplex on the same property with the landlord
 - Living in a shared unit with the landlord

†For details on affordable rent and fee limits, see: <https://portland.gov/phb/rental-services/application-and-screening>

INCOME TO RENT RATIOS

LANDLORD ACTIONS:

- Only consider the income of certain applicants who have a financial responsibility to pay rent
- Screen tenants without financial responsibility for other things like criminal records
- Unaffordable rents†:
 - Require income to be no more than 2 times the rent
- Affordable rents†:
 - Require income to be no more than 2.5 times the rent

RENTER ACTIONS:

- When applying, consider which household members will be financially responsible for rent

APPLICATION REFUSAL

LANDLORD ACTIONS:

- Applications can be refused for:
 - Repeated, documented violations with the same landlord
 - Incomplete application
 - Withholding information
 - Lying on application

RENTER ACTIONS:

- Double check that every part of the application is complete



DENIALS & APPEALS

LANDLORD ACTIONS:

- Give written notice about decision within two weeks of screening
- Tell you in writing why you're denied if:
 - You paid a screening fee OR
 - You specifically request it

RENTER ACTIONS:

- Write a letter requesting an explanation if you are denied
- If you are denied, you have 30 days to appeal the decision

IF A LANDLORD FAILS TO COMPLY:

Landlords may be liable up to \$250 per violation of the law to any applicant plus other qualifying costs and damages

HAVE A DISABILITY?

- Landlords must prioritize tenants with a self-identified mobility disability during the first 8 hours of the open application period
- Reasonable accommodations or modifications cannot be a reason to deny an application
- If a reasonable accommodation is denied, the landlord is required to provide two 24-hour periods to submit another request
- Landlords must allow tenants to accept the unit if the accommodation is still denied after the above attempts



†For details on affordable rent and fee limits, see: <https://portland.gov/phb/rental-services/application-and-screening>

If you believe your landlord is in violation of this law, you can call the Renters' Rights Hotline for general information at (503) 288-0130, the City of Portland at 503-823-1303, or **contact your local Legal Aid office or an attorney**

Information is for general purposes only and is not a substitute for legal advice