



**PLEASE NOTE: If you are applying to rent a unit in the City of Portland, please skip ahead to the "Application & Screening" attachment. Also attached are the following notices: "Right to Request a Modification or Accommodation", "Statement of Applicant Rights & Responsibilities", "Rental Housing Application & Screening Minimum Income Requirement Table".**

**We operate on a first come, first serve basis.**

The qualification process for first position in line for a rental is as follows:

1. Fully completed rental application
2. All application fees paid (\$50 per each adult applying)
3. Interior tour completed

The first position applicant will be immediately offered the unit if they meet all of our screening criteria. Any application received in second position will be processed in the event that the application in front of it does not meet our screening criteria. If the second or any subsequent applications do not continue to meet our screening criteria, we will use our discretion in approving the most qualified applicant. We reserve the right to deny any and all applications that do not meet our screening criteria. Application fees for second position and subsequent positions are refundable in the event that the first position application is immediately approved by meeting all of our screening criteria.

**Application Screening Criteria**

There is a \$50.00 charge for each individual applicant (over 18). Checks are not accepted. This charge covers our costs to run a credit check and criminal background check. Please review our list of criteria. We do not discriminate on basis of age, race, color, religion, sex, handicap, national origin, family or marital status, sexual orientation, sexual identity or source of income. Please note, if you are a caregiver to one of our residents you must complete an application. You will be screened for conduct and criminal only. Your credit history and/or income will not be screened or used as grounds for denial.

**We require:**

- A complete application for each adult 18 or older. **Unfavorable information for any individual applicant may result in denial of all applications for that group.**
- A three year residency history; have the name, address and phone number of previous landlords ready.
- A three year employment history; have the name, address and phone number of previous employers ready.
- Verifiable gross monthly income that is three (3) times the amount of rent. Verifiable income may mean, but is not limited to, alimony/ child support, trust accounts, social security, grants or student loans.

**Self Employed** applicants must provide a copy of their most recent tax return, current bank statement & business license.

**Section 8** applicants must demonstrate income that is 3x their portion of the rent.

**Social Security** recipients must provide a copy of their check or annual benefits letter.

**Roommates:** combined income from all applicants must equal 3x the rent.

**Full Time Students** must provide **proof** of current student status, financial aid award letter and/or current bank statements with balance of 5x the rent.

**Out of State Applicants,** with no local employer, must provide current bank statements with balance of 5x the rent.

- Two pieces of Identification. Choose from each group below:

**Group A:**

Passport (foreign or US)  
US Drivers License  
US State issued ID card

**Group B:**

Social Security  
US Birth Certificate or US Passport  
Resident Alien, work visa or student visa

- Proof of income (pay stub, bank statement, etc.).
- Maximum occupancy of no more than two (2) people per bedroom.

You may be asked to pay a higher security deposit (up to 2x the rent) for the following:

- No credit or poor credit (inc. slow pay or discharged bankruptcy more than one year ago).
- No landlord references (must be from an unbiased source; no roommate or family references).
- Less than one year of rental history.

Applicant 1 \_\_\_\_ Date \_\_\_\_

Applicant 2 \_\_\_\_ Date \_\_\_\_

Applicant 3 \_\_\_\_ Date \_\_\_\_

**The total security deposit required will be that of the last qualified applicant.**

You will be denied tenancy and will forfeit your application fee for the following:

- Incomplete, inaccurate or misrepresentation of any information on your application.
- Insufficient income or employment history.
- Judgment of restitution (in last five (5) years).
- 3 or more misdemeanors (ever). A conviction, guilty plea or no-contest plea, ever for: any felony involving serious injury, kidnapping, death, arson, rape, sex crimes and/or child sex crimes, extensive property damage or drug-related offenses (sale, manufacture, delivery, or possession with intent to sell) class A/Felony burglary or class A/Felony robbery. Any criminal arrest, with or without a conviction for crimes relating to: drugs, sex offense or financial fraud (including but not limited to identity theft or forgery).
- Judgment and/or multiple collections or charge offs in the last seven (7) years. Discharged bankruptcy within the last twelve (12) months or any open bankruptcy.
- Negative landlord references including: money owed to a prior landlord, three violation notices issued in one year period (ie 72 hour notices, NSF, noise/disturbance, unauthorized pets or occupants), excessive damage upon move out or if a land lord refuses to give a reference.
- We determine that you would be a direct threat to the health and safety of other tenants, guests, apartment complex, owner, owner's agents, and/or the property.

If you meet the application criteria and are accepted you will have the peace of mind of knowing other renters in your complex are being screened with equal care. If you are applying for a residence without resident management staff, applications are accepted weekdays between 8:00 am and 5:00 pm. Applications completed after hours or weekends will be processed the next business day. We accept the first qualified applicant.

**If your application is approved** and you wish to hold the apartment for more than three (3) days, we will require that you pay a reservation deposit; and if you do not thereafter execute a rental agreement and take possession of the premises as agreed you will forfeit that deposit. We reserve the right to request the deposit to hold or other monies be paid in certified funds (money order or cashier's check). We are not required to hold any premises for you for more than three (3) days without payment of a reservation deposit.

**Non-compliance Fees:**

Up to \$100 Late Fee, when rent is not received by the 5<sup>th</sup> day of the month.

\$35 (+ bank fee per occurrence) Returned check fee, for payment returned by your financial/banking institution.

\$50 Rule Violation Fee, when the 2<sup>nd</sup> offense notice is issued by the corporate office.

\$50+ 5% of one month's rent Rule Violation Fee, when a 3<sup>rd</sup> offense notice is issued by the corporate office.

\$50 Illegal/Unauthorized Parking Fee, plus any tow costs assessed by the tow company to remove vehicle.

\$50 Unauthorized Dumping Fee, plus any actual charge levied by the hauler to dispose of the items.

\$50 Pet violation, as defined by the pet agreement, plus any actual damage caused by the animal.

\$50 Smoking violation in a non-smoking unit/building.

**Smoke Detector/ Carbon Monoxide Tampering or Removal:** Up to \$250, per state law, plus the cost to replace detector or batteries.

**Lease Break Fee:** Equal to one and a half times the stated rent if you terminate your lease agreement prior to the lease end date. This fee does not apply if you sign a month to month rental agreement.

Please note you will be charged the prevailing maintenance rate if you request assistance for lock change, lock out, lost key, if you or your pet cause damage while residing in the unit or if you miss an appointment with a scheduled vendor.

The following utilities are contracted by the landlord and will be billed back to you: ☐ garbage ☐ water and sewer ☐ natural gas ☐ electricity. An addendum outlining the billing method will be included with your lease/rental agreement. **If you are late paying any utility bill back, a \$10 late fee or a 10% late charge, whichever is greater (but not to exceed \$50 per occurrence) will be added to your account.** If you have any questions about how the utilities are calculated, the current billing rate or would like to see the addendum prior to completing your application, please do not hesitate to ask.

**We require all our residents to carry renters insurance.** You will need to provide a certificate of insurance in the minimum amount of \$100,000 liability or a customary amount required by landlords with similar properties prior to moving in. This policy does not apply to tenants in a household with income less than 50% of the area median income or subsidized with public funds.

I have read and understand the Application Screening information listed above and have also received the Denial Policy. I hereby give permission to Gateway Property Management to obtain information from whatever credit reporting agency they desire. (sign & date below)

**DENIAL POLICY**

If your application has been denied and you believe you qualify as a resident under the criteria provided, you may write us at:

Equal Housing Opportunity Manager  
Gateway Property Management  
9609 SE Foster Rd.  
Portland, OR 97266

In the letter please explain the reasons you believe your application should be approved and request a review of your file. Within seven business days of receipt of your letter, your application file will be reviewed and you will be notified of the outcome.



# Application & Screening

Learn about the new first-come-first-served system for rental applications, priority for applicants with mobility disabilities, limits on screening fees and income-to-rent ratios, and low-barrier screening criteria.



**Portland  
Housing Bureau**  
Rental Services Office





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# Advertising

## 72-Hour Notice of Unit Availability

When advertising to the public, a landlord is required to give 72 hours **notice of unit availability** before beginning to accept applications.

The notice must specify:

- a) when applications will begin to be accepted (no sooner than 72 hours);
- b) whether or not the unit is accessible;\* and
- c) the screening fee (if charging a fee), and a description of the screening criteria.

*\*An Accessible Dwelling Unit qualifies as a "Type A Unit" pursuant to the Oregon Structural Building Code and ICC A117.1. In general, Type A Units are designed and constructed to provide accessibility for wheelchair users throughout unit.*

### What does an application need to include?

- ☐ The opportunity to affirm a Mobility Disability or other Disability Status
  - ☐ The City of Portland Notice to Applicants relating to a tenant's right to request modification or accommodation
  - ☐ The City of Portland Notice to Applicants referencing where to obtain Portland Housing Bureau's (PHB) Statement of Applicant Rights
  - ☐ A description of the Screening Criteria and Evaluation Process, if a screening fee is charged
  - ☐ The opportunity to include Supplemental Evidence for consideration, in order to mitigate potentially negative screening results
- A landlord can provide this info by providing an address, internet link, or other way prospective tenants can find this info.*



Find forms and documents online  
[portland.gov/rso/application-screening](http://portland.gov/rso/application-screening)

★ **Best Practice** While not required, it's best practice to include information about the **Right to Appeal** in the application.

# Collection, Processing & Fees

## Open Application Period

The **Open Application Period** begins at least 72 hours after the notice of availability is posted. At the start of the Open Application Period, a landlord is required to record the date and time that each completed application is received. A landlord may simultaneously process multiple applications but is required to accept, conditionally accept, or deny in the order received.

If applications are received prior to the Open Application Period, a landlord is required to record the date and time of these completed applications as 8 hours after the start of the Open Application Period as a penalty.

### Vacancy Waitlists

If a landlord maintains a waitlist for filling vacancies, names must be added in the order received. When members of a waitlist apply for a vacancy, a landlord may simultaneously process multiple applications but is required to accept, conditionally accept, or deny applicants in the order the applications were received.

### Priority for People with Mobility Disabilities\*

When, during first 8 hours of the Open Application Period, a landlord receives an application with a household member who self-identifies as Mobility Disabled, the landlord must give priority to such applications, and accept, conditionally accept, or deny these applicants prior to considering other applications. If there are multiple applications with a household member who is Mobility Disabled, this must happen in the order received, but prior to processing completed applications for households without Mobility Disabled members.

*\*This only applies to accessible (Type A) units, and does not apply to applications for units that are leased through a lottery or coordinated access system for residential buildings with rents at 80% MFI or lower.*



**Can an applicant request a record of receipt?**

If an applicant requests record of receipt a landlord is required to this provide this information, including date and time received, **within five business days** of receiving the request.



## Have Questions?

If you are a landlord or tenant with questions or concerns about the Application and Screening Ordinance, or seeking general guidance, contact PHB's Rental Services Office. Call, email, or stop by during helpdesk hours.

### Rental Services Office Helpdesk

**PHONE** 503-823-1303

**EMAIL** [rentalservices@portlandoregon.gov](mailto:rentalservices@portlandoregon.gov)

**ONLINE** [portland.gov/rso](http://portland.gov/rso)

**WALK-IN** 421 SW 6th Avenue, Suite 500  
Portland, Oregon 97204

**HOURS** Mondays, Wednesdays & Fridays  
9-11:00AM and 1-4:00PM



*Staff at the Rental Services Office will provide information about city laws and policy, and referrals to other resources and information. However, they cannot offer legal advice or tell a person what to do in a situation.*

### Find Documents & Forms Online



Find the full Administrative Rules, forms, and required notices online at [portland.gov/rso/application-screening](http://portland.gov/rso/application-screening)

## Frequently Asked Questions

You'll find answers to the following frequently asked questions. Look for the blue box or call out.

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# Timeline for Collection & Processing

## 72-Hour Notice of Unit Availability

If the opening is publicly advertised, a notice of unit availability must be posted 72 hours in advance of the Open Application Period.

## Open Application Period

The Open Application Period begins at least 72 hours after the notice of unit availability is posted, and applications are processed in the order received. Preference for accessible units is given to applicants with mobility disabilities.

## 8-Hour Penalty

If applications are received before the Open Application Period, they are subject to an 8-hour penalty and processed in the order received.

## Order of Application Processing

- 0 Applications are not accepted until a minimum of 72 hours after posting the notice of unit availability. Applications received during this time are subject to an 8-hour penalty.
- 1 Applications that indicate a Mobility Disability and are received during first 8 hours of the Open Application Period are given priority and processed first, in the order received.\*
- 2 Applications that indicate a Mobility Disability and are received prior to the Open Application Period, in the order received.\*
- 3 Applications received during first 8 hours of the Open Application Period, in the order received.
- 4 Applications received prior to the Open Application Period are processed per the 8-hour penalty, in the order received.
- 5 All other applications, in the order received.

\*This only applies to accessible units.



### Applicant Tip

**Wait for the Open Application Period to apply!** If an application is received before the Open Application Period begins, an 8-hour penalty is applied.

# Limits on Screening Fees\*

Scenario	Maximum Allowable Limit
All screening through a screening company	No more than the cost charged by the screening company
Some but not all screening through a screening company	No more than the cost charged by the screening company, plus 25%
All screening done by the landlord; no use of a screening company	No more than the cost for a professional screening company serving the Portland-Metro area, plus 10%

\*This is in addition to the requirements of ORS Chapter 90.295.

## When can a landlord refuse to process an application?

A landlord may refuse to process application if:

- a. the applicant has verifiable, repeated Rental Agreement violations—with the same landlord—with the most recent violation within 365 days of the submission date, and if the landlord has provided the applicant with copies of the considered violation notices;\*
- b. the application is materially incomplete;
- c. the application fails to include information concerning identification or income; or
- d. the applicant has intentionally withheld or misrepresented required information.

\*See Administrative Rules for more detail [portland.gov/rso/application-screening](http://portland.gov/rso/application-screening).



### Applicant Tip

**Make sure your application is complete!** A landlord can refuse to process your application if it is not complete.



# General Screening

## A. Identification

A landlord may not reject an application as incomplete because an applicant (or member of the applicant's household) does not produce a social security number or prove lawful presence in the U.S.

In addition, a landlord may not inquire about the immigration status of the applicant, or any member of an applicant's household, or require proof of their lawful presence in the U.S.

### What forms of ID must a landlord accept?

To verify the name, date of birth, and photo of an applicant, a landlord is required to accept any of the following (or combination thereof):

- Evidence of a Social Security Number (SSN Card)
- Valid Permanent Resident Alien Registration Receipt Card;
- Immigrant Visa;
- Individual Tax Payer Identification Number (ITIN);
- Non-immigrant Visa;
- Any government-issued identification regardless of expiration date; or
- Any non-governmental identification or combination of identifications that would permit a reasonable verification of identity



## B. Income

When multiple persons will reside in a unit, the applicants may choose which adults will be financially responsible, and which will be tenants with no financial responsibility.

### Applicant vs. Non-Applicant Tenant

An **applicant** assumes financial responsibility, and can be screened for financial responsibility. A **non-applicant tenant** assumes no financial responsibility, and cannot be screened for financial responsibility. A non-applicant tenant can be screened for factors related to maintenance and conduct.

### Evaluating Non-Applicant Tenants

A landlord may screen adult non-applicant tenants solely for factors related to maintaining property, and for conduct consistent with the health, safety or peaceful enjoyment of premises by other residents or the landlord, and to evaluate prospective tenants' ability to comply with the landlord's **Rules of Residency**. While a landlord may not screen non-applicant tenants for financial responsibility, they may require all adult tenants to sign Rules of Residency.

### Limits on Income-to-Rent Ratios

When the monthly rent amount is less than what is considered affordable for households at 80% of the median family income (MFI),\* a landlord may require a monthly gross income of up to—but not greater than—2.5 times the rent amount.

When the monthly rent amount is more than what is considered affordable for households at 80% of the median family income (MFI),\* a landlord may require a monthly gross income of up to—but not greater than—2 times the rent amount.

If rent is less than the amount affordable at 80% MFI, then required income can be:  
**2.5x** the rent amount

If rent is more than the amount affordable at 80% MFI, then required income can be:  
**2x** the rent amount

\*Affordable rents at 80% MFI are published annually by PHB: [portland.gov/phb/](http://portland.gov/phb/); see [Administrative Rules for more detail](http://Administrative Rules for more detail) [portland.gov/rso/application-screening](http://portland.gov/rso/application-screening).



## How are income-to-rent ratios evaluated?

*When evaluating an applicant's income-to-rent ratio, a landlord is required to:*

- **Include all sources of an applicant's income**, including—but not limited to—wages, rent assistance (non-governmental only), and monetary public benefits. A landlord may also choose to consider verifiable assistance from friends or family.
- Base calculations on:
  - a) a rental amount that is reduced by the amount of any local, state, or federal government rent voucher or housing subsidy available to the applicant; and
  - b) the cumulative financial resources of all applicants (does not include non-applicant tenants).

## What if an applicant does not meet the minimum income ratios?

If an applicant does not meet the minimum income ratios, a landlord may require additional and documented security from a guarantor, or in the form of an **additional security deposit** [pursuant to Subsection 30.01.087 A]. The landlord should communicate this conditional approval in writing, and indicate the amount of additional security. An applicant will have no less than 48 hours to accept or decline this opportunity. If a landlord requires additional security from a guarantor, the landlord may require the guarantor to demonstrate financial capacity.

If the guarantor is a friend or family member, the landlord cannot require the guarantor to have income greater than three times the rent amount. The guarantor agreement may not exceed the term of the Rental Agreement.

## Additional Screening

In conjunction with the **General Screening**, a landlord may apply additional screening criteria beyond income and identity verification.

A landlord may apply either the predefined **Low-Barrier** screening criteria, or their choice of screening criteria (**Landlord Choice**). Landlords are encouraged to apply screening criteria that is consistent with, or less prohibitive than, the Low-Barrier screening criteria.

 If charging a screening fee, all screening criteria must be defined and described in the notice of unit availability.

### Applicant Tip

#### Concerned about negative screening results?

You can provide Supplemental Evidence to explain, justify or negate the relevance of potentially negative information revealed through screening.

This could be in the form of:

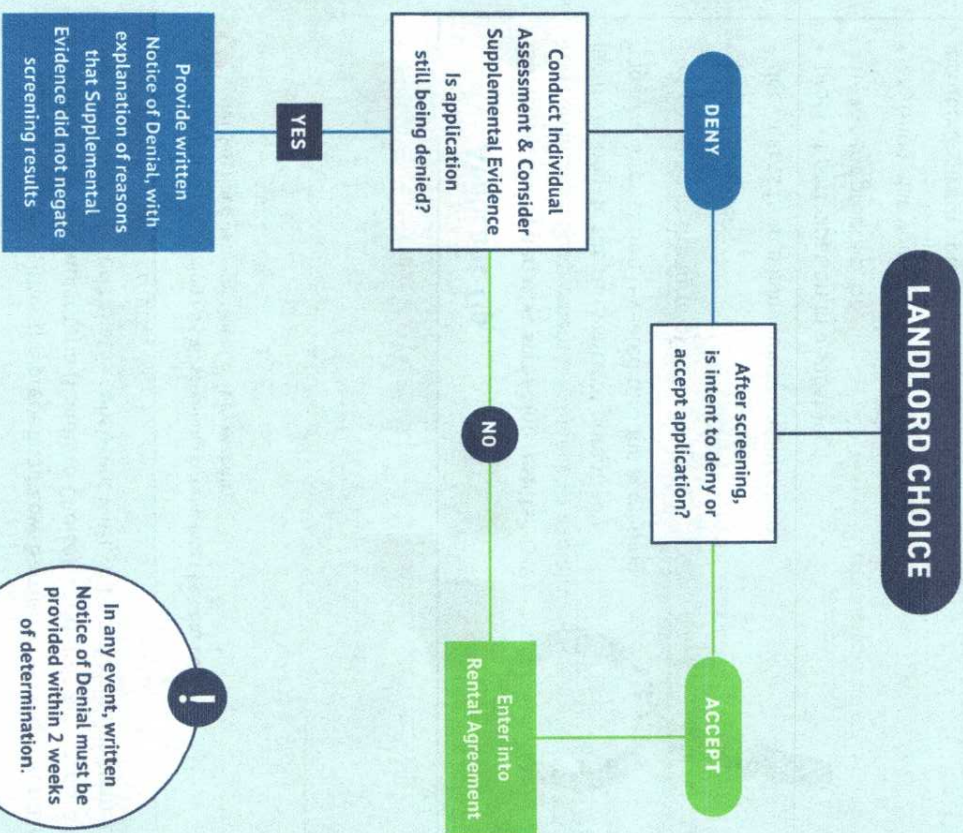
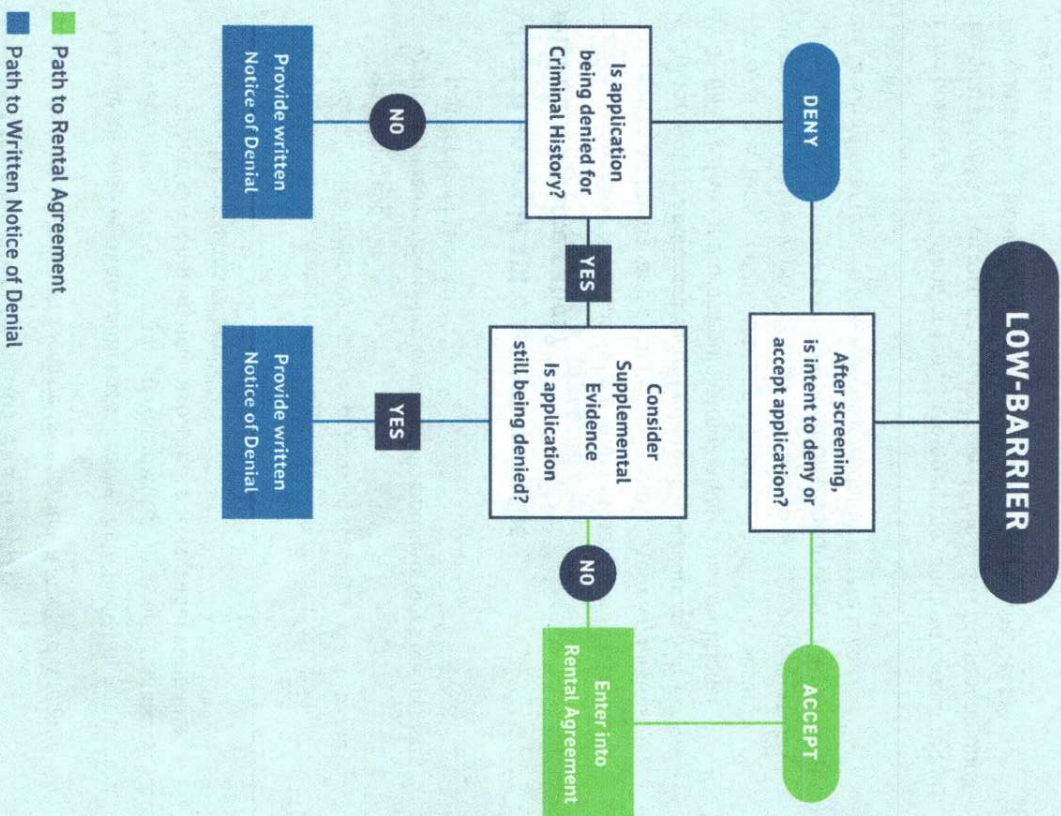
- personal letters,
  - documents from a community organization,
  - proof of participation in a substance treatment program, or
  - anything else you believe to be relevant.
- Include this with your completed application.





# Low-Barrier vs. Landlord Choice

If applying additional screening criteria, a landlord has two options:





## A. Low-Barrier Screening Criteria

*When applying Low-Barrier screening criteria, a landlord agrees not to reject an applicant for the following aspects of their criminal, credit, or rental histories:*

### Criminal History

1. An arrest that did not result in conviction, unless pending on the date of application
2. Participation in, or completion of, a diversion or a deferral of judgment program
3. A conviction that has been judicially dismissed, expunged, voided or invalidated
4. A conviction for a crime that is no longer illegal in Oregon
5. A conviction or any other determination issued through the juvenile justice system
6. A conviction for misdemeanor offenses for which dates of sentencing are older than 3 years from the date of application\*
7. A conviction for a felony offense for which dates of sentencing are older than 7 years from the date of application\*



**If an applicant is being denied for reasons related to their criminal history, a landlord is required to consider any Supplemental Evidence provided by an applicant with their completed application.**

### Credit History

1. A credit score of at least 500 or higher
2. Insufficient credit history, unless an applicant in bad faith withholds credit history information that might otherwise form the basis for a denial
3. Negative information provided by a consumer credit reporting agency indicating past-due unpaid obligations in amounts less than \$1,000
4. A balance owed for prior rental property damage in an amount less than \$500
5. A bankruptcy, filed by the applicant, that has been discharged
6. A Chapter 13 Bankruptcy filed by the applicant, and under active repayment
7. Medical or education/vocational training debt



**Best Practice** While not required, it's best practice to consider any Supplemental Evidence provided for rental history and credit history.

### Rental History

1. An action to recover possession, if action:
  - a) was dismissed or resulted in a general judgment for the applicant before the application was submitted;
  - b) resulted in a general judgment against the applicant, that was entered 3 or more years before date of the application; or
  - c) resulted in a general judgment against the applicant, that was entered fewer than 3 years before the date of application if 1) termination of tenancy [upon which action was based] was without cause, or 2) if judgment against applicant was a default judgment due to failure to appear, and applicant can present credible evidence that they had already vacated the unit at the time the notice was served
  - d) a judgment or court record that was subsequently set aside or sealed pursuant to procedures in state law
2. Any information that a landlord obtains from a verbal or written rental reference check, with the exception of:
  - a) defaults in rent;
  - b) three or more material violations of a rental agreement within one year prior to the date of application, and that resulted in notices issued to the tenant;
  - c) an outstanding balance due to a landlord; or
  - d) lease violations that resulted in termination with cause
4. Insufficient rental history, unless applicant in bad faith withholds rental history information



**In applying Low-Barrier screening criteria, a landlord is required to comply with all applicable Federal, State, and Local Laws.**



## B. Landlord Choice Screening Criteria

### Acceptance of an Application

When a landlord applies their choice of screening criteria (**Landlord Choice**) and accepts an application, no additional assessment is required.

### Intent to Deny an Application

When a landlord applies their choice of screening criteria and intends to deny an application, if any single criterion is more prohibitive than any of the Low-Barrier screening criteria, the landlord is required to conduct an **Individual Assessment** before issuing a denial to the applicant.


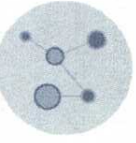


#### ▶ Conducting the Individual Assessment

An individual assessment requires a landlord to consider the context around negative application components. It is also an opportunity for an applicant to explain why they should be accepted in spite of a disqualifying component of their application. There is no standard form or template for an Individual Assessment. If a landlord has questions, they should seek legal guidance.

#### ▶ Consideration of Supplemental Evidence

When conducting an Individual Assessment, a landlord is required to accept and consider all **Supplemental Evidence** that an applicant provides (with their completed application) to explain, justify, or negate the relevance of potentially negative information revealed through screening.

When conducting an Individual Assessment, a landlord must consider Supplemental Evidence and:

- |   |   |   |   |
|---|---|---|---|
|  |  |  |  |
| 1. The nature and severity of the incidents that would lead to denial;            | 2. The number and type of incidents;  | 3. The time that has elapsed since the date the incidents occurred; and           | 4. The age of the individual at the time the incidents occurred.                  |

## Denials, Appeals & Acceptance

### A. Denials

#### Denials in General

A landlord may deny any applicant or non-applicant tenant in accordance with requirements of 30.01.086 and all applicable federal, state, and local laws.

#### Denial with Low-Barrier Criteria

When denying an applicant using Low-Barrier screening criteria, a landlord is required to provide a written **Notice of Denial**, with a statement of the reasons for denial. Before denying an applicant for criminal history, a landlord must consider the Supplemental Evidence provided by the applicant, if submitted with their application.

#### Denial with Landlord Choice of Criteria

When denying an applicant using Landlord's Choice of screening criteria, a landlord must conduct an **Individual Assessment** of the applicant (see page 16). After performing the assessment, including consideration of Supplemental Evidence, a landlord may deny an applicant, so long as:

- Denial is non-discriminatory in accordance with Fair Housing Act;
- Denial is in accordance with **general screening process** and all other applicable federal, state, and local laws;
- The landlord provides written **Notice of Denial** to the applicant within two weeks of denial, and includes an explanation of the basis for denial, as well as an explanation of the reasons that the Supplemental Evidence did not adequately compensate for the factors that informed the landlord's decision to reject the application; and
- Written Notice of Denial is issued to the applicant by the landlord.

#### Communication of Determination

Within 2 weeks of evaluation, a landlord is required to provide **written communication of the determination**—acceptance, conditional acceptance, or denial. In the case of conditional acceptance or denial, the basis for the decision must be described.



All city requirements are in addition to state requirements; see ORS 90.304.



## Disability-Related Modification Requests & Denials



An applicant's request for reasonable modification or accommodation for a disability, or the nature of a modification or accommodation requested, may not be a factor for denial of an application.

In addition, an applicant may not be denied housing based solely on a landlord's denial of a modification request. If a requested modification is denied:

- The landlord is required to provide the applicant two successive 24-hour periods within which to request alternative modifications.
- If no reasonable modification can be made, the applicant, if otherwise eligible, may accept the unit without modification.

### What if a non-applicant tenant is denied?

If an applicant qualifies for a unit, a landlord may not deny that applicant based on the denial of a non-applicant tenant who the applicant included on their application. Instead, a landlord is required to allow the qualifying applicant to accept the unit without the non-applicant tenant.

### What does a Notice of Denial need to include?

Written Notice of Denial must meet the requirements of ORS 90.304, and include a statement of the reasons for denial. If using Landlord's Choice of screening criteria, it must include an explanation of the reasons for denial, as well as an explanation of the reasons that the Supplemental Evidence did not adequately compensate for the factors that informed the landlord's decision.

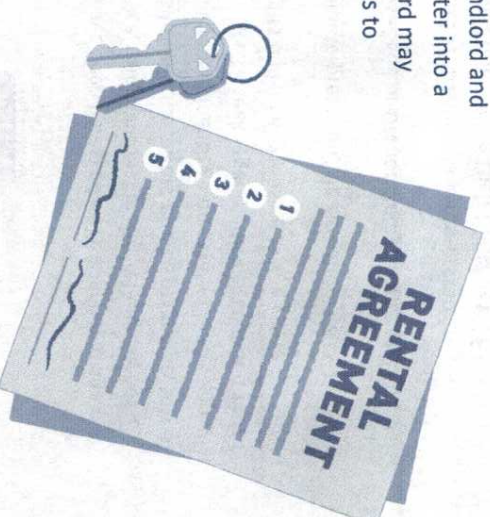
## B. Appeals

*A landlord is required to offer an opportunity for appeal, for 30 days following the denial of an application. The appeal process must:*

1. Provide an opportunity to correct, refute, or explain negative information that formed the basis of the denial;
2. Prequalify the applicant for rental opportunities at landlord's properties for 3 months following the date that the landlord approves an application reviewed on appeal; and
3. Waive the applicant screening fee for 3 months following the approved appeal. Prior to waiving the screening fee, the landlord may require the applicant to self-certify that no conditions have changed from those described in the landlord's approved application.

## C. Approval & Acceptance

Upon landlord approval and applicant acceptance of a unit, the landlord and applicant are required to enter into a **Rental Agreement**. A landlord may also require all adult tenants to sign **Rules of Residency**.



**!** The law controlling Application and Screening requirements is subject to change. Landlords and tenants are encouraged to stay apprised of the current state of the law.



# Exemptions

These requirements do not apply to a leasing process for units that are:

1. Regulated as affordable housing by a federal, state or local government for households that earn no more than 80 percent of the median household income and are subject to the Multnomah County Coordinated Access System or formal referral agreement between a landlord and a non-profit service provider or government agency working to place low income or vulnerable tenants into housing;
2. Not rented to, or advertised for rental to the general public—which includes advertisements on online platforms with or without a fee; or
3. Shared with a landlord using the Dwelling Unit as a primary residence, where the Dwelling Unit is defined by PCC 33.910, and not by ORS 90.100; or shared with an existing tenant with a separate Rental Agreement for the same Dwelling Unit, where the Dwelling Unit is defined by PCC 33.910, and not by ORS 90.100; or
4. Tenancies where the applicant would occupy one Dwelling Unit in a Duplex where the landlord's principal residence is the second Dwelling Unit in the same Duplex; or
5. Tenancies where the applicant would occupy an Accessory Dwelling Unit, as defined by PCC 33.205, that is subject to the Act in the City of Portland so long as the owner of the Accessory Dwelling Unit lives on the site, or Tenancies where the owner occupies the Accessory Dwelling Unit and the Dwelling Unit the Applicant would occupy is on the site.

*Note: Wherever local, state, or federal funding or loan requirements for tenant screening conflict with any portion of Section 30.01.086, funding or loan requirements will take precedence over only those portions in conflict.*

## Failure to Comply

A landlord that fails to comply with any of these requirements is liable to applicant for an amount up to \$250 per violation plus actual damages, reasonable attorney fees and costs. Any applicant materially harmed by a landlord's intentional noncompliance has a cause of action in any court of competent jurisdiction for damages and other remedies, as may be appropriate.



If you believe you have been harassed or discriminated against because of your race, color, national origin, religion, gender, familial status, disability, marital status, source of income, sexual orientation including gender identity, domestic violence, type of occupation, or age over 18 seek legal guidance regarding your rights under Fair Housing law.

For translation or interpretation, please call 503-823-1303

TTY at 503-823-6868 or Oregon Relay Service at 711

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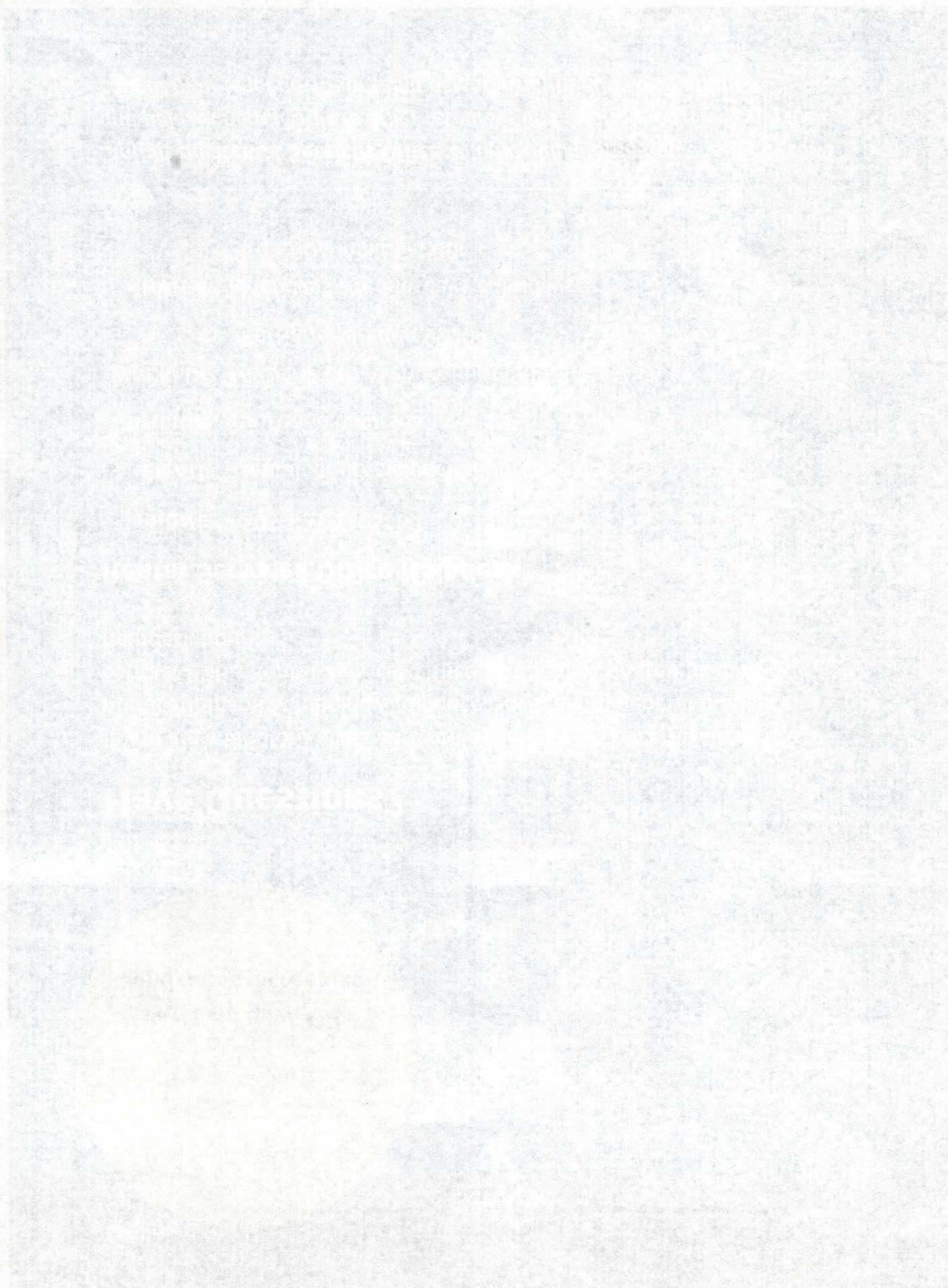
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This requirement is in addition to any other rights and responsibilities set forth in the Oregon Residential Landlord and Tenant Act under Oregon Revised Statute Chapter 90, and Portland Landlord-Tenant Law under Portland City Code Title 30.

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Find full Administrative  
Rules, forms, and other  
documents online at  
**[portland.gov/rso/  
application-screening](http://portland.gov/rso/application-screening)**

## Have Questions?

If you are a landlord or tenant with questions or concerns about the Application and Screening Ordinances, or seeking general guidance, contact PHB's Rental Services Office. Call, email, or stop by during helpdesk hours.

### Rental Services Office Helpdesk

- PHONE** 503-823-1303
- EMAIL** [rentalservices@portlandoregon.gov](mailto:rentalservices@portlandoregon.gov)
- ONLINE** [portland.gov/rso](http://portland.gov/rso)
- WALK-IN** 421 SW 6th Avenue, Suite 500  
Portland, Oregon 97204
- HOURS** Mondays, Wednesdays & Fridays  
9-11:00AM and 1-4:00PM

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*Staff at the **Rental Services Office** will provide information about city laws and policy, and referrals to other resources and information. However, they cannot offer legal advice or tell a person what to do in a situation.*



published January 2020





## Portland Housing Bureau

### Rental Services Office

Mayor Ted Wheeler • Director Shannon Callahan

421 SW 6th Avenue, Suite 500 • Portland, OR 97204

PHONE 503-823-1303 • FAX 503-865-3260

[portlandoregon.gov/phb/rso](http://portlandoregon.gov/phb/rso)

### Rental Services Helpdesk Hours

MON, WED, FRI 9–11am and 1–4pm

## Right to Request a Modification or Accommodation Notice Required Under Portland City Code Title 30.01.086.C.3.B

Within the City of Portland, a landlord is required to include this notice with application forms for the rental of a dwelling unit.

State and federal laws, including **the Fair Housing Act**, make it illegal for housing providers to refuse to make **reasonable accommodations** and **reasonable modifications** for individuals with disabilities. All persons with a disability have a right to request and be provided a reasonable accommodation or modification at any time, from application through to termination/eviction.

### Some examples of reasonable accommodations include:

- Assigning an accessible parking space
- Transferring a tenant to a ground-floor unit
- Changing the rent payment schedule to accommodate when an individual receives public benefits
- Allowing an applicant to submit a housing application via a different means
- Allowing an assistance animal in a "no pets" building. More information about assistance animals is available here:  
[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/assistance\\_animals](https://www.hud.gov/program_offices/fair_housing_equal_opp/assistance_animals)

### Some examples of reasonable modification include:

- Adding a grab bar to a tenant's bathroom
- Installing visual smoke alarm systems
- Installing a ramp to the front door

### Under fair housing laws, a person with a disability is someone:

- With a physical or mental impairment that substantially limits one or more major life activities of the individual;
- With a record of having a physical or mental impairment that substantially limits one or more major life activities of the individual; or
- Who is regarded as having a physical or mental impairment that substantially limits one or more major life activities.

Major life activities include, but are not limited to seeing, walking, reaching, lifting, hearing, speaking, interacting with others, concentrating, learning, and caring for oneself.





## **G. Minimum Income Requirements**

1. To determine the minimum income requirements, see the Rental Housing Application and Screening Minimum Income Requirement Table published by the Portland Housing Bureau.

## **H. Responsibility**

PHB is responsible for managing and implementing this rule.

## **I. History**

Date adopted: **January 31, 2020**

Date effective: **March 1, 2020**



## **Reasonable Accommodations**

A reasonable accommodation is a change or exception to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling. This includes public use and common spaces or fulfilling their program obligations. Any change in the way things are customarily done that allows a person with a disability to enjoy housing opportunities or to meet program requirements is a reasonable accommodation.

All housing or programs are required to make reasonable accommodations. Housing providers may not require persons with disabilities to pay extra fees or deposits or any other special requirements as a condition of receiving a reasonable accommodation.

## **Reasonable Modifications**

A reasonable modification is a structural change made to the premises in order to afford an individual with a disability full enjoyment of the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings and to public use and common areas.

Under federal law, public housing agencies, other federally assisted housing providers, and state or local government entities are required to provide and pay for structural modifications as reasonable accommodations/modifications. For private housing, the person requesting the reasonable modification will need to cover the costs of the modification.

## **Verification of Disability**

In response to an accommodation or modification request and only when it is necessary to verify that a person has a disability that is not known or apparent to the housing provider, they can ask an applicant/tenant to provide documentation from a qualified third party (professional), that the applicant or tenant has a disability that results in one or more functional limitation. If the disability-related need for the requested accommodation or modification is not known or obvious, the housing provider can request documentation stating that the requested accommodation or modification is necessary because of the disability, and that it will allow the applicant/tenant access to the unit and any amenities or services included with the rental equally to other tenants.

A housing provider cannot inquire into the nature or extent of a known or apparent disability or require that an applicant or tenant release his or her medical records. Housing providers can require that the verification come from a qualified professional, but they cannot require that it be a medical doctor.

Nondiscrimination laws cover applicants and tenants with disabilities, as well as applicants and tenants and without disabilities who live or are associated with individuals with disabilities. These laws also prohibit housing providers from refusing to rent to persons with disabilities, making discriminatory statements, and treating persons with disabilities less favorably than other tenants because of their disability.



**Under fair housing laws, it is illegal for a housing provider to deny reasonable accommodations and reasonable modifications to individuals with disabilities. If wrongfully denied an accommodation or modification contact HUD or the Fair Housing Council of Oregon. Time limits apply to asserting any legal claims for discrimination.**

Call HUD toll-free at 1-800-669-9777 or TTY 1-800-927-9275 or visit [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/complaint-process](https://www.hud.gov/program_offices/fair_housing_equal_opp/complaint-process)

HUD will investigate at no cost to the complainant.

For more information about reasonable accommodations and modifications visit [www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/reasonable\\_accommodations\\_and\\_modifications](http://www.hud.gov/program_offices/fair_housing_equal_opp/reasonable_accommodations_and_modifications)

Call the Fair Housing Council of Oregon at (503) 223-8197 ext. 2 or <http://fhco.org/index.php/report-discrimination>.





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PHONE 503-823-1303 • FAX 503-865-3260

[portlandoregon.gov/phb/rso](http://portlandoregon.gov/phb/rso)

### Rental Services Helpdesk Hours

MON, WED, FRI 9–11am and 1–4pm

## Statement of Applicant Rights and Responsibilities Notice Required Under Portland City Code Title 30.01.086.C.3.C

Within the City of Portland, a landlord is required to include this notice with application forms for the rental of a dwelling unit.

### City of Portland Applicant Rights

The City of Portland has adopted local requirements that provide additional rights and responsibilities for landlords and applicants for rental housing, beyond state law requirements, during the rental unit advertising and application process.

Applicants are strongly encouraged to submit supplemental information to offset any reasons that could lead to denial. In the event of denial, applicants have the right to appeal the decision within 30 days.

### Applicants are strongly encouraged to review their rights before submitting an application.

City requirements address the following landlord tenant topics: advertising and application process screening, security deposits, depreciation schedules, rental history, notice rights, and rights for relocation assistance.

The City of Portland city code, rules, required notices and forms are listed below, and are available at: [[portland.gov/rso](http://portland.gov/rso)] or by contacting the Rental Services Office at (503) 823-1303 or [rentalservices@portlandoregon.gov](mailto:rentalservices@portlandoregon.gov).

### Residential Rental Unit Registration

- Portland City Code 7.02.890

### Application and Screening Requirements

- Portland City Code 30.01.086
- Rental Housing Application and Screening Administrative Rule
- Statement of Applicant Rights and Responsibilities Notice
- Right to Request a Modification or Accommodation Notice
- Rental Housing Application and Screening Minimum Income Requirement Table

### Security Deposit Requirements

- Portland City Code 30.01.087
- Rental Housing Security Deposits Administrative Rule
- Rental History Form
- Notice of Rights under Portland's Security Deposit Ordinance







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## Mandatory Renter Relocation Assistance

- Portland City Code 30.01.085
- Mandatory Relocation Assistance Exemption Eligibility and Approval Process  
Administrative Rule
- Tenant Notice of Rights and Responsibilities Associated with Portland Mandatory Relocation Assistance
- Relocation Exemption Application Acknowledgement Letter (If applicable)





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## Rental Services Helpdesk Hours

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### Rental Housing Application and Screening Minimum Income Requirement Table Required by PCC 30.01.086.D.2.a-b

If the monthly Rent amount is **below** the amount listed for the number of bedrooms in a Dwelling Unit, a Landlord can require an Applicant to demonstrate a monthly gross income of up to but not greater than 2.5 times the amount of the Rent.

If the monthly Rent amount is **at or above** the amount listed for the number of bedrooms in a Dwelling Unit, a Landlord can require an Applicant to demonstrate a monthly gross income of up to but not greater than 2 times the amount of the Rent.

# of Bedrooms	Rent Amount
0	\$1,232
1	\$1,320
2	\$1,584
3	\$1,829
4	\$2,040
5	\$2,251

**These rent amounts are based on Department of Housing and Urban Development (HUD) 2019 limits.**

**These rent amounts will be valid until new rent amounts are published by HUD in the Spring of 2020, and the Rental Housing Application and Screening Minimum Income Requirement Table is updated.**







If you believe you have been harassed or discriminated against because of your race, color, national origin, religion, gender, familial status, disability, marital status, source of income, sexual orientation including gender identity, domestic violence, type of occupation, or age over 18 seek legal guidance regarding your rights under Fair Housing law.

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