

# A Criminal Record Doesn't Have to Define Your Future

Decent, stable, and affordable housing is a critical prerequisite to health, safety, education, jobs, and the economy.

Unfortunately, individuals with a criminal history consistently face daunting barriers to obtaining and maintaining housing.



## CRIMINAL BACKGROUND CHECK

The Fair Housing Resource Center (FHRC), Inc. is a non-profit 501 (c) 3 organization that offers several housing programs that benefit residents of Lake, Geauga and Ashtabula County, Ohio. Our mission is to promote equal housing opportunities for all persons and to advocate for fair housing and diversity in Lake County and surrounding communities through the education and involvement of the public, the governments, and the business community.

# Don't Be Locked Out Of Housing

**"YOU HAVE A RIGHT TO HOUSING FREE FROM DISCRIMINATION"**

*Sex • Disability • Familial Status  
Race • Color • Religion  
National Origin or Ancestry • Military Status*

If you feel you've been discriminated against in housing, make sure you take these steps:

- *Keep a record of the names, dates, addresses, phone numbers and other important information which can assist in the investigation of your complaint.*
- *Don't forget to be as specific as possible about the incident. Get the names and addresses of any witnesses to the incident whenever possible.*
- *Following the incident, you have one year to file an administrative complaint or two years to file a lawsuit.*



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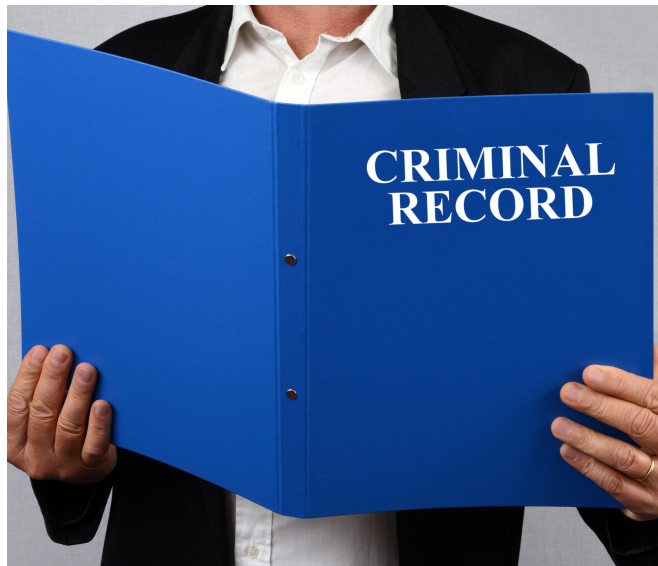
# Fair Housing & Criminal Records



## You Can Rent!

Having a criminal record does not automatically result in a denial of a tenant's rental application. Blanket bans of all persons who have a criminal record, conducting background checks inconsistently, and denying housing based on arrest records can violate the Fair Housing Act.

The US Department of Housing and Urban Development has determined that criminal convictions have been used as a stand-in for racial profiling and discrimination. Racial discrimination is prohibited by the Fair Housing Act.



## Tips for Renting With a Criminal Record

- Get as many references as possible
- Contact local Re-Entry Programs
- Consider offering more of a deposit than the Landlord is requesting
- Rent from a private landlord
- Rely on referrals from family or friends

## Tenant Screening Policies

A Landlord can consider an applicant's criminal past during the rental screening process. However, a Landlord should assess the severity of the offense, the time that has elapsed since conviction, and the type of offense. If the Landlord denies the applicant, they must be able to justify the denial.

For example:

- if an applicant has recently been convicted of a violent crime, it would be reasonable for a Landlord to deny the tenant due to the Landlord's fear for the safety of other tenants.

HUD also recommends landlords use uniform screening procedures for every individual tenant that applies to rent from them. Landlords should have a universal set of screening policies that adhere to the Fair Housing laws and HUD guidelines and are used on all applicants consistently.

HUD recommends that a landlord look at each case of criminal history on a granular level, considering:

- The type of conviction
- Facts or circumstances surrounding the criminal conduct
- The age of the individual at the time of the conviction
- Evidence of whether the individual has maintained a good tenant history before and/or after the conviction or conduct
- Evidence of rehabilitation efforts

When evaluating a criminal background check, it's crucial to remember that an arrest is not the same as a conviction. An arrest means that a person was arrested for potential criminal activity and was put into custody. Unless a conviction follows the arrest, having an arrest record doesn't mean the person actually committed a crime.

***Fair Housing is NOT an Option...  
Fair Housing is THE LAW***