

Written Testimony of Natasha Duarte, Senior Policy Analyst,
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Council of the District of Columbia
Committee on Government Operations

Public Hearing on B23-338, Eviction Record Sealing Authority Amendment Act of 2019,
October 30, 2020

Dear Chairperson Bonds, Chairperson Todd, and members of the Committees on Housing & Neighborhood Revitalization and Government Operations,

Thank you for the opportunity to testify on the Eviction Record Sealing Authority Amendment Act of 2019, B23-338. We are providing this testimony on behalf of Upturn, a civil rights and technology research and advocacy nonprofit based here in D.C. We write to express our support for the protections in the Eviction Record Sealing Authority Amendment Act and to encourage you to expand these protections to prevent tenant screening companies from using eviction filings or sealed eviction records in the reports they provide to landlords making housing decisions. We commend the Council for taking steps to permanently mitigate the impact of eviction on access to housing, because the eviction crisis is not limited to the current pandemic.

Eviction record sealing is an important step toward improving housing security for D.C. residents. Too many people are completely locked out of housing, not because they cannot pay rent, but because they—like millions of others—have an eviction record in their history. These records are artifacts of systemic racism and real estate practices that exploit our city’s most vulnerable residents. Just twenty landlords in D.C. filed nearly half of all evictions in 2018.¹ These landlords were engaging in serial filing—a practice some landlords use to intimidate their tenants, not to remove them for legitimate lease violations.² In D.C., these predatory evictions are concentrated in majority Black neighborhoods. Relying on eviction records to make housing decisions inevitably has a disparate impact on Black, Latinx, and low-income renters.

The vast majority of eviction records are not reliable indicators of tenants’ suitability and should not be considered in the tenant screening process. Only 5% of evictions filed in 2018 resulted in an executed eviction.³ 69% of evictions filed for nonpayment of rent were dismissed, meaning that there were insufficient grounds for filing the eviction, the tenant paid the rent owed before their hearing, or the housing provider failed to attend the hearing.⁴ Even when evictions are decided in favor of the landlord, the landlord often does not remove the tenant because the tenant continues to pay rent.⁵ Nevertheless,

¹ Brian J. McCabe & Eva Rosen, *Eviction in Washington DC: Racial and Geographic Disparities in Housing Instability* 25 (2020), <https://georgetown.app.box.com/s/8cq4p8ap4nq5xm75b5mct0nz500z3ap>.

² *See Id.* at 12–13; Philip ME Garboden & Eva Rosen, *Serial Filing: How Landlords Use the Threat of Eviction*, 18 *City & Community* 638 (2019).

³ McCabe and Rosen, *supra* note 1, at 13.

⁴ *Id.* at 9.

⁵ *Id.* at 29.

these records are collected en masse by tenant screening companies and used to evaluate—and often reject—tenants.

To ensure that residents are more fully protected from eviction records, the Council should include tenant screening companies in both the Eviction Record Sealing Authority Amendment Act of 2019 and the Fair Tenant Screening Act of 2019.⁶ Specifically, the acts should be amended to prohibit tenant screening companies from reporting records—such as eviction filings and dismissed eviction records—that housing providers would be prohibited from considering under these laws. The Council should also work with stakeholders, including Legal Aid and other housing advocates, to find solutions for sealing or de-identifying eviction filings while preserving advocates’ ability to offer services and effectively represent DC residents. Upturn would be happy to help collaborate on potential solutions.

The following testimony proceeds in two parts: Part I explains how tenant screening companies work, and Part II explains why the Council should ensure the efficacy of fair housing and sealing laws by limiting what tenant screening companies can report and by further restricting access to records such as eviction filings.

I. How tenant screening companies work.

Tenant screening companies collect, store, and select records for housing providers to use when evaluating tenants.⁷ They also play a significant role in interpreting those records, determining tenant screening criteria, and informing rental decisions. Tenant screening companies contribute to the risk of discriminatory housing decisions in three important ways: (1) They often report inaccurate or misleading information in tenant screening reports; (2) they solidify eviction records— and their disparate racial impacts—as one of the most important factors in rental decisions; and (3) they seldom provide enough transparency and context to allow landlords to evaluate the relevance of an applicant’s eviction history in compliance with fair housing law.

Almost every renter in D.C. has to pass a background check to be eligible for housing. Public and private housing providers have broad discretion to set their tenant screening criteria.⁸ Nationally, about 85 percent of landlords run eviction reports on all applicants.⁹ Housing providers in D.C.—particularly property managers that lease multiple units—usually rely on tenant screening companies like RentGrow,¹⁰

⁶ Fair Tenant Screening Act of 2019, B23-0149, <https://lims.dccouncil.us/Legislation/B23-0149>. See also Natasha Duarte & Tinnuola Dada, Written Testimony on the Fair Tenant Screening Act of 2019 (Oct. 27, 2020), <https://www.upturn.org/static/files/2020-10-27-testimony-DC-fair-tenant-screening-act.pdf>.

⁷ See, e.g., Lauren Kirchner & Matthew Goldstein, *Access Denied: Faulty Automated Background Checks Freeze Out Renters*, The Markup & N.Y. Times (May 28, 2020), <https://themarkup.org/locked-out/2020/05/28/access-denied-faulty-automated-background-checks-freeze-out-renters>.

⁸ Federal law only requires agencies to reject applicants from federally subsidized housing programs in a few limited circumstances. 24 C.F.R. 960.202. The only eviction records that public housing authorities (PHAs) are required to consider are evictions from federally assisted housing for drug-related criminal activity within the past three years. *Id.* Outside of these requirements, PHAs set their own tenant screening processes and criteria. See D.C. Municipal Regs 14-6109. For private housing providers, the only federal limitation on tenant screening criteria is the Fair Housing Act’s prohibition on housing discrimination.

⁹ TransUnion Independent Landlord Survey Insights (Aug. 7, 2017), <https://www.mysmartmove.com/SmartMove/blog/landlord-rental-market-survey-insights-infographic.page>.

¹⁰ RentGrow, <https://www.rentgrow.com/>.

RentSafe,¹¹ and CoreLogic¹² to conduct these background checks. The District of Columbia Housing Authority (DCHA) contracts with RentGrow to screen applicants for all 33,000 of its Housing Choice Voucher units.¹³

Tenant screening companies compile records from multiple different sources, including public and private databases, and provide their clients with tenant screening reports that include varying levels of detail.

1. Collecting and matching records

Tenant screening companies use public and private sources of data to evaluate rental applicants.

Tenant screening companies collect data from many different sources, including courts and other government agencies, private databases, and credit bureaus. They may collect this information by entering into agreements with agencies and data brokers¹⁴ or by scraping it from websites.¹⁵ Some tenant screening companies maintain copies of these records in their own databases.¹⁶ When a tenant screening company receives a tenant screening request from a housing provider, it attempts to match the applicant's personal information with the records it has access to.

Tenant screening companies' data collection practices could circumvent the sealing law.

Data brokers often collect eviction and other civil litigation records directly from court websites as soon as they become publicly available. Frequently, they do this using tools that automate the process of searching and collecting large numbers of case records. For example, because DC court records are numbered sequentially and publicly accessible through the eAccess system, it would be easy to automatically generate case numbers and pull corresponding records. Data brokers then maintain those records in internal databases that may not be updated to reflect changes such as sealing. These records are often accessed and incorporated into databases before they would be sealed, and may remain in private databases long after they're sealed.

¹¹ RentSafe, <https://rentsafe.lease/>. RentSafe is a D.C.-based tenant screening company used by Nomadic Real Estate, which manages many properties in the District. Nomadic Real Estate, Application Process, <https://www.nomadicrealestate.com/application-process/>.

¹² CoreLogic, Resident Screening, <https://www.corelogic.com/products/resident-screening.aspx>.

¹³ RentGrow, Inc., and D.C. Housing Auth., Screening Services Activation Agreement (Aug. 2018), <https://www.documentcloud.org/documents/6819690-Washington-DC-RentGrow-Contract-ECOD.html>.

¹⁴ See, e.g., Admin. Office of Penn. Cts (AOPC) of the Unified Jud. Sys. of the Commonwealth of Penn., Agreement Concerning Bulk Distribution of Electronic Case Record Information on Recurring Basis, <https://www.nelp.org/wp-content/uploads/PA-Courts-Agreement-Distribution-Electronic-Case-Record-Information.pdf> [hereinafter Pennsylvania data sharing agreement]; LexisNexis Public Records, <https://www.lexisnexis.com/en-us/products/public-records.page>.

¹⁵ See, e.g., Lauren Kirchner, *When Zombie Data Costs You a Home*, The Markup (Oct. 6, 2020), <https://themarkup.org/locked-out/2020/10/06/zombie-criminal-records-housing-background-checks> [hereinafter *Zombie Data*]. For more on how data brokers obtain information, see generally Federal Trade Commission, *Data Brokers: A Call for Transparency and Accountability* 11–18 (May 2014), <https://www.ftc.gov/system/files/documents/reports/data-brokers-call-transparency-accountability-report-federal-trade-commission-may-2014/140527databrokerreport.pdf>.

¹⁶ Privacy Rights Clearinghouse, *The Renter's Guide* (2017), <https://privacyrights.org/consumer-guides/renters-guide-tenant-privacy-rights>; Kirchner, *Zombie Data*, *supra* note 15.

Tenant screening companies regularly report inaccurate information.

There is very little oversight or standardization of tenant screening companies' record collection or matching practices.¹⁷ As a result, tenant screening reports regularly contain errors and misleading information.¹⁸ Three major sources of error are (1) lack of information in the underlying records; (2) record matching errors; and (3) failure to update records databases.

First, court records often do not contain enough information to be accurately categorized and matched to individuals. In 2017, pursuant to a settlement with 30 state attorneys general,¹⁹ TransUnion, Equifax, and Experian agreed to stop reporting civil court records, including evictions, in consumer credit reports because they don't contain enough personal information to be reliably linked to individuals.²⁰ Nonetheless, tenant screening companies continue to report these records. Court records are not standardized between jurisdictions; for example, a judgment in favor of the tenant is labelled as a "dismissal" in some jurisdictions but not others. This can lead to out-of-state records being misinterpreted in DC residents' tenant screening reports.²¹ Court records may also lack final disposition or procedural information.²²

Even when the updated disposition of a case is included, it can still be misleading. In D.C. Superior Court, a "dismissal" in an eviction case can mean that the tenant paid the rent owed before the hearing, that the landlord did not have a justification to file the eviction in the first place, or that the landlord did not attend the hearing.²³ Tenant screening companies may themselves create misleading impressions by reporting court records but omitting important information that would bear on the tenant's reputation, such as the final disposition of or reason for an eviction.²⁴

Second, tenant screening reports regularly attribute records to the wrong applicants.²⁵ First Advantage LNS Screening Solutions was sued in 2017 because at least 13,346 of its criminal background reports contained

¹⁷ Ariel Nelson, National Consumer Law Center, Broken Records Redux: How Errors in Criminal Background Check Companies Continue to Harm Consumers Seeking Jobs and Housing 10 (Dec. 2019), <https://www.nclc.org/images/pdf/criminal-justice/report-broken-records-redux.pdf>.

¹⁸ See generally *Id.*; Kirchner & Goldstein, *supra* note 7; Kirchner, Zombie Data, *supra* note 15.

¹⁹ *In the matter of* Equifax Information Services LLC, Experian Information Solutions, Inc., & TransUnion LLC, Assurance of Voluntary Compliance/Assurance of Voluntary Discontinuance (May 11, 2015), <https://www.ohioattorneygeneral.gov/Files/Briefing-Room/News-Releases/Consumer-Protection/2015-05-20-CRAs-AVC.aspx>.

²⁰ See Jasper Clarkberg & Michelle Kambara, Consumer Financial Protection Bureau, Removal of Public Records has Little Effect on Consumers' Credit Scores (Feb. 22, 2018), <https://www.consumerfinance.gov/about-us/blog/removal-public-records-has-little-effect-consumers-credit-score/> (explaining the reporting change).

²¹ For example, depending on the jurisdiction, a judgment in favor of the tenant may be labeled as such or may be labelled as a "dismissal." See Tenants Union of Washington State, Eviction Timeline, <https://tenantsunion.org/rights/eviction-timeline>.

²² See Consumer Financial Protection Bureau, Market Snapshot: Background Screening Reports 11 (Oct. 2019), https://files.consumerfinance.gov/f/documents/201909_cfpb_market-snapshot-background-screening_report.pdf (citing Becki R. Goggins & Dennis A. Debacco, Dep't of Justice, Office of Justice Programs, Survey of State Criminal History Information Systems 2 (2018)) ("A 2016 survey of state reporting jurisdictions found that in 50 states and Guam, an average of 68 percent of all arrests in state databases have final dispositions reported.").

²³ McCabe & Rosen, *supra* note 1, at 9.

²⁴ See TurboTenant sample report, eviction records, App. A.

²⁵ See Kirchner & Goldstein, *supra* note 7; Nelson, *supra* note 17, at 17–19.

records belonging to the wrong person.²⁶ One reason for these "matching errors" is that companies may use overbroad search and matching practices and "err on the side of including any possible match."²⁷ In 2018, tenant screening company RealPage entered into a \$3 million settlement with the Federal Trade Commission (FTC) after the FTC alleged that RealPage's system was designed to match people with records containing the same last name but different first and middle names.²⁸ This is sometimes called a "wild-card search," and it disproportionately harms groups like Latinx renters, who share a small number of unique last names.²⁹ Tenant screening companies also frequently match records only based on first and last name even when other relevant information, such as date of birth, address, or middle names do not match.³⁰

Third, tenant screening companies can collect or maintain outdated records, exacerbating the challenge of properly classifying records and increasing the occurrence of errors. For example, a tenant screening company's data may not be updated often enough to reflect updates to cases such as dismissals or sealing. In 2018, RealPage paid \$1 million to settle a class action lawsuit alleging that it reported expunged records to housing providers.³¹

Unlike traditional credit reports, renters usually can't find out what will be in their tenant screening reports before they apply for a unit. Housing providers use hundreds of different tenant screening companies with varying data sources, matching practices, and reporting practices. Applicants are forced to dispute any inaccuracies after being screened, and there's no guarantee that they will be able to provide evidence of the error to the housing provider before the unit is rented to someone else.

2. Creating tenant screening reports

Tenant screening companies compile information into reports, which may include numerical scores, recommendations, and other features encouraging landlords to accept or reject tenants.

Once a tenant screening company has matched a rental applicant to available records, it creates a report for the housing provider. Some reports simply provide the records to landlords without analysis or recommendations. Many reports, however, provide analysis, scores, recommendations, or other features that encourage the landlord to accept or reject the tenant.

²⁶ Williams v. First Advantage LNS Screening Sols., Inc., 238 F. Supp. 3d 1333, 1340 (N.D. Fla. 2017) (Of 3.5 million reports prepared between 2010 and 2013, 17,431 were disputed, 14,346 resulted in a revised background report, and 13,346 of those revised reports were based on disputes where the consumer complained that a public record in their report belonged to another individual.).

²⁷ Kirchner & Goldstein, *supra* note 7.

²⁸ Lesley Fair, Federal Trade Comm'n, \$3 Million FCRA Settlement Puts Tenant Background Screening at the Forefront (Oct. 17, 2018), <https://www.ftc.gov/news-events/blogs/business-blog/2018/10/3-million-fcra-settlement-puts-tenant-background-screening>.

²⁹ See Kirchner & Goldstein, *supra* note 7 (citing U.S. Census Bureau, Hispanic Surnames Rise in Popularity (Aug. 9, 2017), <https://www.census.gov/library/stories/2017/08/what-is-in-a-name.html>).

³⁰ See Nelson, *supra* note 17, at 11, 18.

³¹ Complaint, Stokes v. RealPage, Inc., 2:15-cv-01520-JP (E.D. Penn. 2015), <https://www.clearinghouse.net/chDocs/public/CJ-PA-0003-0001.pdf>. See also Max Mitchell, *Background Screening Company Settles Credit Reporting Case for \$1M*, Pittsburgh Post-Gazette (Feb. 13, 2018), (<https://www.post-gazette.com/business/legal/2018/02/13/Background-screening-company-settles-credit-reporting-case-for-1M/stories/201802130011>).

Some companies offer stark “accept” or “reject” recommendations,³² while others assign scaled risk scores to applicants. For example, National Tenant Network (NTN)’s Decision Point product scores applicants from 0 to 100, where at certain thresholds applicants Meet, Conditionally Meet or Do Not Meet the criteria.³³ NTN advertises its analysis as “comprehensive” and states that it tells landlords “everything [they] need to make a sound rental decision.”³⁴ Corelogic’s SafeRent Score uses the same numerical scale used in traditional credit scoring, and characterizes scores as low, medium, or high risk based on how many other applicants screened by Corelogic fell above and below that score.³⁵ MyRental, another Corelogic product, includes an “accept or decline” button the housing provider can click to automatically generate an acceptance or rejection letter for the tenant.³⁶

Tenant screening reports are designed to apply uniform criteria to all applicants.

Tenant screening companies standardize the process of screening by uniformly applying criteria to each applicant’s records.³⁷ Companies often promote this as a feature, telling landlords that consistency is the best way to avoid legal liability.³⁸ As one tenant screening company executive explained in an interview, “[Landlords are] saying, ‘We like using SafeRent because it tells us red, yellow, green lights and our people don’t have to think. We don’t want them to think. We think it’s safer, legally, from a fair housing standpoint if they don’t think.’”³⁹ However, the Department of Housing and Urban Development (HUD) has acknowledged that even consistently applied tenant screening criteria can result in unlawful disparate impacts, and has recognized the need for some individualized assessment that considers the context and mitigating details surrounding an applicant’s records.⁴⁰

Relying on eviction histories to make rental decisions deepens systemic racism and perpetuates poverty and housing insecurity. Black renters are far more likely to have eviction records in D.C., in part because most evictions are concentrated in Wards 7 and 8 and carried out by only a handful of landlords.⁴¹ Many tenant screening companies undermine landlords’ ability to conduct an individualized assessment—and

³² See, e.g., Memorandum of Decision on Motions for Summary Judgment at 7, Conn. Fair Housing Ctr. v. CoreLogic Rental Property Solutions LLC, D. Conn., 3:18-cv-705 (Aug. 7, 2020), <https://www.courtlistener.com/recap/gov.uscourts.ctd.125021/gov.uscourts.ctd.125021.194.0.pdf> (“... with CrimSAFE, ‘criminal record search results are evaluated using our own advanced, proprietary technology and an accept/decline leasing decision is delivered to your staff.’”).

³³ National Tenant Network, NTN DecisionPoint sample report, App. A.

³⁴ National Tenant Network, NTN DecisionPoint, <https://ntnonline.com/resident-screening/ntn-decisionpoint/>.

³⁵ CoreLogic MyRental, SafeRent Score Report, App. A.

³⁶ CoreLogic MyRental, How It Works, <https://www.myrental.com/how-it-works/tenant-screening>.

³⁷ While some companies give landlords discretion to include or exclude broad categories of data, they rarely provide more granular tuning, such as excluding all dismissed eviction records, or ignoring nonpayment of rent that occurred before the applicant received a housing voucher.

³⁸ See, e.g., RentPrep, Establishing Tenant Screening Criteria for Rating Tenants, <https://rentprep.com/tenant-screening/tenant-screening-criteria/>.

³⁹ Anna Reosti, “We Go Totally Subjective”: Discretion, Discrimination, and Tenant Screening in a Landlord’s Market, 45 Law & Social Inquiry 618 (2020).

⁴⁰ U.S. Dep’t of Housing & Urban Development, Office of the General Counsel Guidance on Application of the Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions (Apr. 4, 2016), https://www.hud.gov/sites/documents/HUD_OGCGUIDAPPFHASTANDCR.PDF. See also Fair Criminal Record Screening for Housing Act of 2016, D.C. Code § 42–3541.

⁴¹ McCabe & Rosen, *supra* note 1, at 14–21.

to comply with D.C. law—because they make judgments and recommendations about tenants but do not provide the underlying records to the landlords.⁴²

Tenant screening companies do not always include the underlying information used to develop their reports.

In some cases, tenant screening companies do not provide landlords with the underlying records used to create reports. An ongoing housing discrimination lawsuit against CoreLogic alleges that CoreLogic provided tenant screening reports to apartment leasing agents without providing the underlying records.⁴³ CoreLogic’s report included a cover page titled “Lease Decision,” and listed a “Crim Decision,” which stated whether disqualifying records were found, but did not describe or provide the disqualifying records.⁴⁴ The disqualifying record turned out to be a dismissed arrest for retail theft, which was used to deny Mikhail Arroyo’s application to move in with his mother, who has been his primary caretaker since he became disabled.⁴⁵ When tenant screening companies include eviction histories in reports or scores without providing the underlying records, they preclude housing providers from judging the relevance and appropriate weight of those records.

Many tenant screening companies provide numerical scores indicating a tenant’s risk; however, few services disclose all of the criteria used to calculate these scores, and while some provide the primary factors contributing to a particular score, in our research we have not seen any that disclose the weight of each factor in determining the scoring formula.⁴⁶ In fact, the scoring models are often described as proprietary.⁴⁷ Housing providers must provide adverse action notices to the tenants they reject,⁴⁸ and sometimes these are automatically generated by tenant screening companies, but they often provide vague reasons that are unclear to tenants and their housing attorneys.⁴⁹ Without the underlying records and criteria, housing providers cannot assess whether the criteria are legal and appropriate to consider.

II. The Council must limit tenant screening companies’ ability to report eviction records.

Although tenant screening companies contribute substantially to rental criteria and decisions, they face very little oversight. At the federal and D.C. level, there are very few limits on tenant screening practices and no requirements (except in the Council’s emergency legislation) for private housing providers to consider the disposition of eviction records.⁵⁰

⁴² See *infra* text accompanying notes 43–49.

⁴³ Memorandum of Decision on Motions for Summary Judgment at 6, Conn. Fair Housing Ctr. v. CoreLogic, 3:18-cv-705 (“RPS [CoreLogic] allows CrimSAFE customers to disclose or suppress information underlying disqualification from its staff and housing applicants. If a customer chooses to suppress disclosure of the underlying criminal record from its onsite staff, they see only whether disqualifying records are found or not.”).

⁴⁴ *Id.*

⁴⁵ *Id.* at 16. For a brief description of the facts in this case, see Nelson, *supra* note 17, at 13.

⁴⁶ See, e.g., National Tenant Network, NTN DecisionPoint sample report, App. A.

⁴⁷ See, e.g., Screening Service Agreement between Corelogic Rental Property Services, LLC, and Minneapolis Public Housing Authority at 4 (May 2017), <https://www.documentcloud.org/documents/6819668-Minneapolis-CoreLogic-Contract.html>.

⁴⁸ 15 U.S.C. § 1681m(a).

⁴⁹ Memorandum of Decision on Defendant’s Motion to Dismiss at 2, Conn. Fair Housing Ctr. v. CoreLogic, No. 3:18-cv-00705-VLB, D. Conn. (March 25, 2019), <https://www.courtlistener.com/recap/gov.uscourts.ctd.125021/gov.uscourts.ctd.125021.41.0.pdf>.

⁵⁰ See *infra* note 8.

Tenant screening companies almost always report eviction records even though these records have been deemed too inaccurate for traditional credit reporting. As part of a litigation settlement, Equifax, Experian, and TransUnion created the National Consumer Assistance Plan (NCAP), requiring that any records included in credit reports include sufficient information and be updated at least every 90 days.⁵¹ Because civil litigation records, including eviction records, typically do not include personal information such as dates of birth or social security numbers, they can no longer be included in traditional credit reports because the risk of a mismatch is too high. Tenant screening companies are not accountable to NCAP and continue to report civil litigation records despite the high risk of errors.

D.C. would not be the first jurisdiction to impose limitations on tenant screening companies. Washington State law prohibits tenant screening companies from disclosing records, including terminated leases, related to domestic violence,⁵² and Pennsylvania requires data brokers to update their state court records weekly to reflect updated dispositions and remove expunged cases.⁵³

The Council should:

Prohibit tenant screening companies from reporting any eviction record that would qualify for sealing under the Eviction Records Sealing Authority Amendment Act of 2019. This would help prevent landlords from inadvertently screening tenants based on illegal criteria.

Expand the Eviction Records Sealing Authority Amendment Act of 2019 to seal all eviction records that do not result in an executed eviction. This would protect tenants who lose in court but are allowed to stay in the unit because they paid their rent.

Consider approaches to sealing or de-identifying eviction filings that preserve housing advocates' ability to offer services and effectively represent DC residents. This would protect renters from being screened out of housing because of eviction filings collected by data brokers, including those that are subsequently sealed.

Thank you for the opportunity to submit this testimony. Please contact Natasha Duarte at natasha@upturn.org with any questions.

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⁵¹ See *supra* notes 19–20.


⁵² Wash. Rev. Code § 59.18.580, <https://app.leg.wa.gov/rcw/default.aspx?cite=59.18.580>.

⁵³ Pennsylvania data sharing agreement, *supra* note 14, at 2 (“SUBSCRIBER shall retrieve and access on a weekly basis the appropriate LifeCycle file(s) . . . and update their data accordingly.”); *Id.* at 4 (“The COMMONWEALTH may, at its discretion, perform audits of the SUBSCRIBER to verify compliance with the terms and conditions of this AGREEMENT and the appropriate use of the information and data . . .”). See also *Zombie Data*, *supra* note 15 (describing the Pennsylvania agreement).

Appendix 1: Sample tenant screening reports


TurboTenant Screening Report Snapshot

4/13/2020 What does the screening report look like? What is included on it? - TurboTenant Help Center

Help Center

[TurboTenant Help Center](#) · [Applicants](#) · [Tenant Screening](#)

What does the screening report look like? What is included on it?

**Customer Support**March 09, 2020 15:07

Follow

Screening Report Snapshot

Screening reports include a summary that allows you to see the information you need at a glance:

<https://support.turbotenant.com/hc/en-us/articles/218605247-What-does-the-screening-report-look-like-What-is-included-on-it> 1/7

Eviction Records

COLORADO

Action Date 9/12/2015	Description Colorado Evictions	County Larimer County 28th District-Civil
Subject Name Jackson, Thomas	Plaintiff Acme Corp, LLC	Record ID CO1278941
Subject Address 7800 Linden St. Fort Collins, CO 80525	Case Type Civil New Filing	File Number KN129N9XOP1

Action Date 10/9/2012	Description Colorado Evictions	County Larimer County 28th District-Civil
Subject Name Jackson, Thomas	Plaintiff Acme Corp, LLC	Record ID CO5161782
Subject Address 515 College Rd. Fort Collins, CO 80528	Case Type Civil New Filing	File Number TN02K9N1X5L

National Tenant Network, NTN DecisionPoint

Access No: XX 011

Order No: 3619420

Reference No: Rose Unit

NTN DecisionPoint

INSTANT RESIDENT SELECTION SYSTEM

Screened For: XX 011 - ABC Property Management
DD-MM-YYYY

Applicant Information

Consumer, Jonathan Quincy SSN ***.**-9990 Income \$4,500.00 Rent \$1,400.00
10655 N Birch St DOB 10-Jan-1951 Months at Residence 24
Burbank, CA 91502 Months at Employment 21

Analysis Results - Based on subscriber's employment, residency and applicant score acceptance criteria.

Does Not Meet Criteria Rent to Income - Meets criteria
Eviction Filing – Applicant does not meet eviction criteria
Score - Reject Applicant
See adverse action letter for details

Rent to Income Multiple Exceeds Requirement	Time at Residence Exceeds Requirement	Time at Employment Exceeds Requirement	Applicant Score 55
<p>Applicant Score based on analysis of tenant performance information, national public records and other databases.</p> <p>ID Check A search of nationwide public record, eviction, tenant performance, and other proprietary databases returned the following results: Substantial difference in Social Security Number found: No Substantial difference in Date of Birth found: No Substantial difference in current address found: Yes Substantial difference in previous address found: No Report of Credit Fraud found: Yes Any item marked YES should be verified with the applicant</p> <p>Additional Addresses see NTN Tenant Performance Profile 1314 SOPHIA LN APT3, SANTA ANA CA 90017</p> <p>Additional Names (aliases) see NTN Tenant Performance Profile Consumer, Quincy</p> <p>Alert Messages Current Address – verify entered address with applicant Fraud detected – see Additional Information in File below</p> <p>Tenant Performance Information see NTN Tenant Performance Profile Name/Location Date Information Reported Consumer, Jonathan 10-May-2015 Apartment Damage, Eviction Filing Required</p> <p>Public Records see NTN Tenant Performance Profile Action Date of Filing Disposition Consumer, Jonathan (1314 Sophia Ln) 08-May-2015 Judgment for Plaintiff \$1,000</p> <p>Additional Information in File (Experian) 1 item closed by consumer (Experian) Bankruptcy, Chapter 13-Filed (Experian) Fraud Victim Alert: **#HK# ID SECURITY ALERT: FRAUDULENT APPLICATIONS MAY BE SUBMITTED IN MY NAME OR MY IDENTITY MAY HAVE BEEN USED WITHOUT MY CONSENT FRAUDULENTLY. DO NOT EXTEND CREDIT WITHOUT FIRST CONTACTING ME AND VERIFYING ALL APPLICANT INFORMATION. THIS SECURITY ALERT WILL BE MAINTAINED FOR 90 DAYS BEGINNING 05-01-17. (FACT ACT)</p> <p>Messages Eviction filing caused the NTN DecisionPoint score to be reduced by 20 points Tenant Performance caused the NTN DecisionPoint score to be reduced by 10 points</p> <p>Custom Criteria Used in Calculating the NTN DecisionPoint Score If present, medical collections are ignored</p>			<p>90 Meets (100-80) 80 Conditionally Meets (79-60) 70 60 Does Not Meet (59-00) 50 40</p>

End of NTN DecisionPoint

CoreLogic MyRental, SafeRent Score Report

SAFERENT™ SCORE REPORT
Processed April 02, 2019 at 5:35 AM



David Brandt

Primary Applicant for 4938 Main St Fresno, CA 93711

686

SafeRent Score

APPLICANT INFORMATION

Name	DOB	SSN
DAVID BRANDT	10/04/1997	***-**-1882
Email	Monthly Income	
DAVID_BRANDT@myrental.com	\$ 3300	
Current Address	1021 CENTER AVE FRESNO, CA 93711	
Previous Address	N/A	

SAFERENT SCORE

LOWEST RISK

686

This application is in the lowest risk category. Fewer than 16% of all applications score above 680.

LEASE INFORMATION

Monthly Rent	Total Income
\$ 1250	\$ 3300
Lease Term	Rent/Income
12 Months	38 %