

Renter's Access Act

When and how can a landlord look at a tenant's rent and credit history?

October 2021

I found a place to rent. What happens now?

- **Before you apply, the landlord must give you a list of written screening criteria** explaining what information they use to approve or deny applications. The list must be the same for all applicants.
- **After you apply, the landlord must review your rental application** and cannot automatically deny you because of your credit score or eviction record.
- **If you have an eviction record**, the landlord cannot deny your application due to the eviction, if:
 - The case was withdrawn, dismissed or you won the case.
 - The case resulted in a judgment that has been satisfied or vacated.
 - The case resulted in a judgment by agreement that is current or has been satisfied or vacated.
 - The case filing or resulting judgment is more than 4 years old.
 - The case was filed March 2020 through September 2021 (COVID-19 Emergency Period), unless the landlord claimed violent or criminal activity.

My application was denied. What does the landlord have to do now?

- **Let you know they denied your application** in writing within three business days.
- **Give you a copy of any tenant screening reports** or documents they used to make their decision.
- **Review any documents you give them** for reconsideration, if you dispute the denial.

How do I dispute the landlord's decision and ask for reconsideration?

- **Tell the landlord that you dispute their decision** within 48 hours of the denial.
- **Provide the landlord documents for reconsideration** within 7 days of the denial.
 - Provide proof that information in the tenant background report was inaccurate, OR
 - Provide proof that the denial violated the Renter's Access Act, OR
 - Provide proof of any mitigating circumstances. For example:
 - A history of on-time rental payments.
 - Proof that a prior eviction was based on someone else not paying the rent.
 - Proof of new or increased income.
 - Letters of recommendation by employers or former landlords.
 - Proof of any changes in your life that help show the landlord that problems from the past are not going to be problems anymore.

The landlord approved my application, but the unit is no longer available. What does the landlord have to do?

- If the landlord has 5 or more rental units, the landlord must offer you the next available unit of similar size and price.

The landlord still denied my application. What can I do?

- If the landlord did not give you written screening criteria or a written denial, the Philadelphia Commission on Human Relations may investigate the landlord for fair housing violations.
- If the landlord violated any part of this ordinance, you may file a lawsuit against the landlord in court for up to \$2000 per violation.



Philly Tenant Hotline 267-443-2500 www.phillytenant.org

The Philadelphia Eviction Prevention Project is a joint effort of: Clarifi, Community Legal Services, Legal Clinic for the Disabled, Philadelphia VIP, SeniorLAW Center, and Tenant Union Representative Network

Re: Request for Reconsideration

_____ (today's date)

_____ (prospective landlord name)

_____ (prospective landlord address)

_____ (prospective landlord city/state/zip)

Dear _____ (prospective landlord name),

I received your notice of denial of my rental application on _____ (date denial received).
I am writing to dispute the denial of my application and request reconsideration.

I plan to:

- Provide proof that the denial was based on incorrect information.
- Provide proof that the denial violated the Philadelphia Renter's Access Act of 2021.
- Provide proof of mitigating circumstances for your reconsideration.

I will be providing you additional information within seven business days from the date I received the notice of denial. I appreciate your review of this information and reconsideration of my application as required by law.

Sincerely,

_____ (your signature)

_____ (your name printed)

_____ (your mailing address)

_____ (your city/state/zip)

_____ (your phone)