

Tenant Screening

Tenants' Rights in Massachusetts

When you are looking for an apartment it is important to understand how landlords screen tenants. They screen tenants in different ways. Landlords want to know if tenants will:

- Pay the rent on time.
- Keep an apartment in good condition.
- Be a good neighbor.

Protect Yourself If Your Application Is Denied

If landlords or property managers deny your application for an apartment:

- Ask them why.
- You may be able to convince them that they should not reject you.
- They may have information from a tenant screening report, court record, or criminal record (CORI) which does not tell the whole story or is wrong.
- You may need to correct wrong or misleading information in your tenant screening report, your court record, or your CORI.
- You may be able to show them your circumstances have changed. For example, you lost your job and were unable to the rent, but now you have a job and can pay the rent.

How Landlords Screen

Credit reports

Landlords use credit reports to predict if you can and will pay the rent. Credit reports show how you borrow and repay money. They also show how much debt you have.

Tenant screening reports

Landlords can buy tenant screening reports from private companies. These reports can include eviction history, court cases, former addresses, social security number verification, and criminal record searches.

Criminal record information

Landlords and property managers can get some information about your criminal record, called "Criminal Offender Record Information" or CORI.

Court information

Massachusetts trial courts make information about court cases available to the public on the Internet.

Rental history

Landlords may ask you for references from your current and former landlords.

Credit Report

Before you look for a place, get a copy of your credit report. You can get 1 free copy once a year by filling out the Annual Credit Report Request Form. To get this form:

- Call 877-322-8228 or
Go to www.AnnualCreditReport.com
Click "Request your free credit reports"



Tenant Screening Reports

Landlords must tell you if they deny your rental application because of the information in a tenant screening report. But they do not always tell you why they deny you.

If landlords deny your rental application, ask if they used a tenant screening report. If they did, ask them for the name of the company. Contact the company and get the information that is wrong or misleading changed.

Criminal Record Information

A landlord cannot automatically disqualify anyone with a criminal record. Landlords need to assess each individual applicant.

Before a landlord can deny your application because of your CORI, the landlord must:

- Notify you that they plan to deny you housing because of what is in the CORI.
- Give you a copy of the CORI they got or tenant screening report if it has CORI.
- Tell you the part of your CORI or tenant screening report that is a problem.
- Give you information about how to fix mistakes on your CORI and give you a chance to get mistakes corrected.
- Give you a copy of their CORI Policy, if they are required to have one.

If you applied for certain types of subsidized housing, they must give you information about how to challenge the denial of housing based on CORI. See **Challenging a Denial** www.MassLegalHelp.org/cori/housing/denial.

Court Information

Massachusetts' trial courts make some information about court cases available to the public on the Internet. Tenant advocates have concerns about this because this information may contain errors. It also may not tell the whole story.

For example, the information online will not show that you came to an agreement with a former landlord and you followed that agreement.

If you have been involved in a housing case, make sure there are no errors online. Look up your case on the court's website at www.masscourts.org. If you find an error, use **Error Correction Form (Booklet 11)**.

Rental History

A landlord may want to get information from your current and former landlords to find out if you are a good tenant. Before you apply for apartments, contact former landlords and tell them that another landlord may request a reference from them. If you are afraid that a former landlord may give you a bad reference, ask them for a simple reference letter that says you paid the rent on time.

If you have no rental history, try to use other information that shows you can pay rent on time and take care of an apartment. For example, get letters from clergy, shelter staff, or employers saying that you will take care of the apartment and respect the rights of others.



MassLegalHelp.org/Tenant-Screening

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