

FAIR HOUSING & TENANT SCREENING

It is illegal to discriminate in housing based on federal, and all applicable state and local protected classes.

Federal:

- race
- color
- sex
- national origin
- religion
- familial status
- disability

Maryland:

- gender identity
- marital status
- military status
- sexual orientation
- source of income

Anne Arundel County:

- age
- ancestry
- citizenship
- creed
- marital status
- occupation
- sexual orientation
- source of income
- gender identity or expression

TIPS TO AVOID OVERBROAD SCREENINGS

Credit History



- Recognize the limitations of credit scores in predicting the likelihood to pay rent. Credit scores do not capture timely rent, utility, or other bill payments.
- Consider individual aspects of the credit report and not just a score threshold.

Eviction History



- Do not deny applicants based on eviction proceedings where the tenant prevailed, when circumstances relating to the eviction are no longer relevant, or when significant time has passed.

Criminal Records



- Ensure tenant screening does not consider arrest records and focuses on relevant criteria such as when recent convictions occurred, the nature and severity of the offense, evidence of rehabilitation efforts, and local laws.

Reasonable Accommodations



- Applicants with a disability may require a reasonable accommodation to waive some or all of a tenant screen if their disability is related to an aspect of the screen that may lead to a denial. Providers should also consider the individual circumstances of applicants, such as survivors of domestic violence.

BEST PRACTICES

- Choose relevant screening criteria that serves a legitimate business or safety purpose and follows local laws
- Use only accurate records
- Follow a stated screening policy
- Share criteria with applicants ahead of accepting any fees or deposits
- Ensure that third-party screening companies are committed to accuracy, non-discrimination, and follow local laws
- Allow applicants to correct false or incorrect information

ADDITIONAL RESOURCES

- [HUD: Application of the Fair Housing Act to the Screening of Applicants for Rental Housing](#)
- [National Consumer Law Center: New Guidance Suggests Remedies for Tenant Screening Practices](#)
- [Tech Equity: Screened Out of Housing](#)
- [PolicyLink: Eviction Records and Tenant Screening Protections](#)

WHO SHOULD I CONTACT IF I BELIEVE I'VE BEEN DISCRIMINATED AGAINST IN HOUSING?

You can report housing discrimination to the ERC by calling 202-234-3062 or emailing info@equalrightscenter.org. You can also file a complaint directly with HUD on their [website](#) or with the Maryland Commission on Civil Rights on their [website](#).

HOW CAN THE ERC HELP?



Civil rights testing

Trained civil rights testers pose as persons seeking housing to find out if and how discrimination is occurring.



Fair housing complaint

Assisting you with filing a housing discrimination complaint with HUD or the appropriate state/local agency.



Reasonable accommodations & modifications

Assist people with disabilities to request reasonable accommodations or modifications.



Advocacy

Advocating on your behalf (ie. requesting a policy change) with a housing provider to address possible discrimination.