# RUM\_SB 691\_FAV.pdf Uploaded by: Hatfield, Carisa Position: FAV



## Senate Bill 691 Real Property – Landlord and Tenant – Reusable Tenant Screening Reports

Before the Senate Judicial Proceedings Committee Feb. 24, 2021

Position: FAVORABLE

Renters United Maryland (RUM) is a coalition of independent non-profit, legal services, and community-based organizations. We stand on the principle that housing is a human right that is critical to an individual's quality of life, the health of families, and the prosperity of communities.

SB 691 would allow prospective tenants to obtain a reusable tenant screening report containing a recent and timely consumer credit report, a criminal records check, eviction and rental history, and verification of employment. SB 691 would not require landlords to accept reusable tenant screening reports; rather, landlords who choose not to accept reusable tenant screening reports would simply be required to notify tenants accordingly, either in writing or by conspicuous posting. Landlords who choose to accept reusable tenant screening reports would not be permitted to charge an application fee or other fee to access the report, which is provided directly to the prospective landlord at no cost by the credit reporting agency.

RUM supports this bill because it will create a more affordable option for tenants searching for new rental housing. Currently, tenants may be required to pay an application fee for each unit they apply to - even when multiple properties are managed by the same larger management company. Current law caps nonrefundable application fees at \$25.00\(^1\). For a tenant who is attempting to move quickly and applying to multiple properties, this amount can add up quickly. Indeed, if a tenant applies to rent five rental units, they could be charged up to \$125 in nonrefundable application fees. The burden of paying multiple application fees often means that tenants will either choose to limit their search, reducing the likelihood of finding housing that meets their needs, or will overextend themselves financially to locate such housing.

This is particularly true in a time when tenants across the state have lost their income as a result of the COVID-19 pandemic and cannot afford to pay multiple application fees when they need to move quickly to maintain stable housing and avoid homelessness. The opportunity to obtain a single, reusable tenant screening report would give tenants choice and reduce financial barriers.

The undersigned members of Renters United Maryland urge a favorable report on SB 691.

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<sup>&</sup>lt;sup>1</sup> Md. Code Ann., Real Prop. §8-213(b)(1)(i).

Santoni, Vocci & Ortega, LLC
Renters Alliance
Homeless Persons Representation Project, Inc.
Public Justice Center
University of Baltimore Civil Advocacy Clinic
Chesapeake PSR
Baltimore Regional Housing Partnership
Bolton House Residents Association
Maryland Consumer Rights Coalition
Disability Rights Maryland
Beyond the Boundaries
Strong Future Maryland
NAACP Maryland
Maryland Center on Economic Policy

## **SB691\_FAV\_Hettleman (1).pdf** Uploaded by: Hettleman, Shelly

Position: FAV

SHELLY HETTLEMAN

Legislative District 11

Baltimore County

Judicial Proceedings Committee



James Senate Office Building
11 Bladen Street, Room 203
Annapolis, Maryland 21401
410-841-3131 · 301-858-3131
800-492-7122 Ext. 3131
Shelly.Hettleman@senate.state.md.us

### The Senate of Maryland Annapolis, Maryland 21401

Testimony of Senator Shelly Hettleman SB 691 Real Property - Landlord and Tenant -Reusable Tenant Screening Reports

This bill would allow a prospective tenant to provide a reusable tenant screening report to a landlord for the purpose of vetting their housing application. The goal of the legislation is to increase the accuracy of tenant screening reports and to save tenants money. I would draw a comparison to allowing students to use the Common Application when applying for college - using a document that gathers the same data and information, but doesn't burden the applicant with redundant filing and fees.

Under this bill, landlords have the *option* to accept a reusable tenant screening report, but would not be required to do so. Landlords would have to publicly state if they accept a reusable tenant screening report on their website.

This bill is modeled after a law in Washington that has been in effect since 2016. There are hundreds of landlords and apartment complexes in Washington that have opted to accept reusable tenant screening reports, including several companies that also operate in Maryland.

#### **Automated Screening Reports are Commonplace**

Nine out of ten landlords rely on tenant screening reports to make decisions about who to rent to.¹ These reports typically contain information about an applicant's personal and financial characteristics, including: their credit history, arrests and criminal convictions, evictions, and employment.

Many of these reports are generated automatically, within seconds, by computer algorithms and are never reviewed by a human being before they are provided to the landlord.

Furthermore, many reports do not include the applicant's detailed housing and criminal records, and instead only provide a thumbs up or down risk assessment. This means that inaccurate and mismatched information is not caught on a screening report prior to the rejection of the applicant.

Under federal and state law, the onus is on the consumer to ensure that the information on their consumer report is accurate. However, consumers do not have a way to check consumer reports in advance of their use to ensure their accuracy.

Errors in consumer reports are shockingly common. The Federal Trade Commission found that one in four consumers have a "potentially material error" in their consumer report that makes them look riskier than they actually are.<sup>2</sup>

Given the current eviction crisis, many Marylanders will be seeking to rent new housing and may face an even harder time securing housing because of inaccuracies on their consumer report.

#### **Reusable Tenant Screening Reports**

A reusable tenant screening report is prepared by a consumer reporting agency and contains the <u>same information</u> as a consumer report directly procured by a landlord. The report contains employment verification, eviction and housing history, and a comprehensive search of the applicant's criminal history.

Unlike a traditional consumer report, a reusable tenant screening report is paid for directly by the prospective tenant and is offered free of charge to prospective landlords. A tenant can reuse the screening report for an unlimited number of times within a 30 day period. An example of a company that provides reusable tenant screening reports is <a href="MyScreeningReport.com">MyScreeningReport.com</a>.

#### **Benefits of Reusable Tenant Screening Reports**

In Maryland, landlords are currently able to charge a prospective tenant up to \$25 as an application fee to cover the cost of obtaining a consumer report to screen the applicant. In many competitive housing markets, prospective tenants need to apply for multiple apartments before finding housing. This can be an expensive process for the applicant, as they must pay the cost of the tenant screening fee for each application. With a reusable tenant screening report, the tenant only needs to pay the fee once, thereby saving them money.

Reusable tenant screening reports also have the potential to be more accurate. Screening reports often contain inaccurate information about an applicant, leading to some applicants being unjustly rejected for housing.<sup>6</sup> Such inaccuracies can arise when information is included about other people who have a similar name as the applicant.

Reusable tenant screenings are thorough, secure, and common sense tools that reduce the financial burden associated with multiple application fees while meeting the demand for a comprehensive tenant screening resource. For these reasons I urge a favorable report for SB 691.

<sup>1</sup>"How Automated Background Checks Freeze Out Renters." New York Times, 2020.

<sup>2</sup>2015 FTC Report to Congress under Section 319 of the FCRA. https://www.ftc.gov/sites/default/files/documents/reports/section-319-fair-and-accurate-credit-transactions act-2003-fifth-interim-federal-trade-commission/130211factareport.pdf

Inaccuracies on consumer reports are especially detrimental for people of color. Many landlords use consumer reports to screen applicants for housing. Since a majority of Black and Latino residents rent their homes

<sup>3</sup> they are vulnerable to being rejected for housing because of inaccurate information. This is especially likely to happen if an applicant has a common name. This is particularly a concern for Latinos, as more than 12 million Latinos nationwide share just 26 surnames. <sup>4</sup> 3"More U.S. households are renting than at any point in 50 years." Pew Research Center, 2017. <a href="https://www.pewresearch.org/fact-tank/2017/07/19/more-u-s-households-are-renting-than-at-any-point-in 50-years/">https://www.pewresearch.org/fact-tank/2017/07/19/more-u-s-households-are-renting-than-at-any-point-in 50-years/</a>

4"Hispanic Surnames Rise in Popularity." US Census Bureau, 2017. <a href="https://www.census.gov/library/stories/2017/08/what-is-in-a-name.html">https://www.census.gov/library/stories/2017/08/what-is-in-a-name.html</a>

<sup>5</sup> Maryland Code, Real Property § 8-213.

<sup>6</sup> https://www.nytimes.com/2020/05/28/business/renters-background-checks.html report, the applicant is able to review and correct the report for errors before it is sent to the landlord.

## **Testimony in Favor of SB 691. Tenant Screening Rep** Uploaded by: Losak, Matthew

Position: FAV



#### Matt Losak 1001 Spring Street Silver Spring, Maryland 20910 In favor of SB691 Tuesday, February 16, 2021

Good afternoon Chairman Kipplinger and Vice Chair Atterbeary and committee members. My name is Matt Losak and I am a co-founder and Executive Director of the Montgomery Count Renters Alliance—an alliance of more than 30 labor, community, religious, political and civic action organizations and thousands of renters. We are Maryland's first and only regional nonprofit dedicated exclusively to renter outreach, education, organizing and advocacy.

For many renters, especially low -income renters, especially renters of color, it can be especially difficult to find an apartment in Maryland. For many renters it may be necessary to apply for homes in multiple apartment communities in order to find an available home. But this means having to pay multiple background fees that may make that process too expensive for many and potentially adding to racial segregation in housing.

Creating a system where landlords can simply access a credit report from a reputable credit screening company, using the landlord's own password or code would ensure one-stop-shopping accuracy of tenant screening reports and eliminate multiple tenant fees.

Further, it would allow all renters to review their own report information to ensure its accuracy.

This bill provides a simple, modern improvement to the rental apartment application process and we strongly urge the committee's support.

Thank you.

# MCRC Testimony 2021 SB691.pdf Uploaded by: Stern, Isadora Position: FAV

#### **Maryland Consumer Rights Coalition**



### Testimony to Senate Judicial Proceedings Committee SB 691: Real Property-Landlord & Tenant-Reusable Tenant Screening Reports Position: Favorable

February 24, 2021

The Honorable William Smith, Chair
House Environment & Transportation Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401
Cc: Members, Senate Judicial Proceedings Committee

Honorable Chair Smith and Members of the Committee:

The Maryland Consumer Rights Coalition (MCRC) is a statewide coalition of individuals and organizations that advances financial inclusion and economic justice for Maryland consumers through research, education, direct service, and advocacy. Our 8,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.

We are here today in strong support of SB 691. SB 691 allows tenants to use a reusable tenant screening report when applying for rental housing. This legislation could assist thousands of Maryland residents who have lost their job, seen their hours slashed, or their small businesses close. Thousands of Marylanders have lost income and are struggling to make ends meet. More than 367,000 Marylanders have contracted COVID-19, with 10% having symptoms for at least a month, and 2% having 'long-haul' symptoms for three months or more. Evidence is emerging that many survivors suffer long-term lung and heart damage, which will increase their medical expenses and may affect their ability to work.

At the same time, Maryland is facing a critical shortage of affordable housing and rental units. Even if an application fee is capped, paying a \$25 fee to 10 apartments adds up, particularly now when every dollar counts. SB 691 meets this moment by enabling landlords to ensure that their screening questions are answered, without adding unnecessary costs to tenants.

This is a common-sense solution that addressing overly burdensome requirements for consumers, still meets landlords needs, and reduces the cost for tenants.

For all of these reasons, we support SB 691 and urge a favorable report.

Best,

Marceline White Executive Director

## MCRC\_SB691\_FAV (1).pdf Uploaded by: White, Marceline

Position: FAV

#### **Maryland Consumer Rights Coalition**



### Testimony to the Senate Judicial Proceedings Committee SB691: Real Property-Landlord & Tenant-Reusable Tenant Screening Reports Position: Favorable

February 24, 2020

The Honorable William Smith Jr., Chair Senate Judicial Proceedings Committee 2 East Miller Senate Office Building Annapolis, Maryland 21401 cc: Members, Judicial Proceedings Committee

Honorable Chair Smith and Members of the Committee:

The Maryland Consumer Rights Coalition (MCRC) is a statewide coalition of individuals and organizations that advances financial inclusion and economic justice for Maryland consumers through research, education, direct service, and advocacy. Our 8,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.

We are here today in strong support of SB691. SB691 allows tenants to use a reusable tenant screening report when applying for rental housing. This legislation could assist thousands of Maryland residents who have lost their job, seen their hours slashed, or their small businesses close. Thousands of Marylanders have lost income and are struggling to make ends meet. More than 367,000 Marylanders have contracted COVID-19, with 10% having symptoms for at least a month, and 2% having 'long-haul' symptoms for three months or more. Evidence is emerging that many survivors suffer long-term lung and heart damage, which will increase their medical expenses and may affect their ability to work.

At the same time, Maryland is facing a critical shortage of affordable housing and rental units. Even if an application fee is capped, paying a \$25 fee to 10 apartments adds up, particularly now when every dollar counts. SB601 meets this moment by enabling landlords to ensure that their screening questions are answered, without adding unnecessary costs to tenants.

This is a common-sense solution that addressing overly burdensome requirements for consumers, still meets landlords' needs, and reduces the cost for tenants.

For all of these reasons, we support SB691 and urge a favorable report.

Best,

Marceline White Executive Director

## **SB 691 Support Letter (2021)(FINAL).pdf** Uploaded by: Wilpone-Welborn, Kira

Position: FAV

**BRIAN E. FROSH** *Attorney General* 

**ELIZABETH F. HARRIS**Chief Deputy Attorney General

CAROLYN QUATTROCKI
Deputy Attorney General

Writer's Fax No.

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

**CONSUMER PROTECTION DIVISION** 

WILLIAM D. GRUHN

Chief

Consumer Protection Division

Writer's Direct Dial No. 410-576-6986 kwilponewelborn@oag.state.md.us

February 22, 2021

To: The Honorable William C. Smith Jr. Chair, Judicial Proceedings Committee

From: Kira Wilpone-Welborn

**Consumer Protection Division** 

Re: Senate Bill 691 – Real Property - Landlord and Tenant - Reusable Tenant Screening

Reports (SUPPORT)

The Consumer Protection Division of the Office of the Attorney General supports Senate Bill 691 sponsored by Senator Shelly Hettleman because it increases consumer choice and prevents unfairness in Maryland's rental marketplace.

Senate Bill 691 allows consumers to obtain their own independent tenant screening reports (*i.e.*, background checks, including credit and employment checks) and provide those reports to prospective landlords willing to accept them. Presently, when Marylanders apply for rental units, they are subject to each property's application process and application fee even when multiple properties are managed by the same larger management company. The burden of paying multiple application fees and re-submitting duplicative application information can limit a consumer's choice in rental housing. Allowing consumers to obtain their own tenant report and provide it to prospective landlords would allow consumers to better navigate the rental market, increase choice, and limit the financial and time expenditures required of consumers for repetitive applications.

Moreover, allowing consumers to preemptively obtain a reusable tenant screening report allows consumers to better understand the information used by landlords in approving or denying rental applications. Presenting consumers with this information before submitting an application will also allow consumers to take steps to improve, correct, or dispute information contained within the report that could adversely impact their rental applications, thus assisting them to obtain more affordable housing.

For these reasons the Division requests that the Judicial Proceedings Committee give Senate Bill 691 a favorable report.

The Honorable William C. Smith, Jr. Senate Bill 691 February 22, 2021 Page Two

cc: The Honorable Shelly Hettleman Members, Judicial Proceedings Committee

# MD SB 691 - Letter.pdf Uploaded by: Ellman, Eric Position: FWA



Consumer Data Industry Association 1090 Vermont Ave., NW, Suite 200 Washington, D.C. 20005-4905

P 202 371 0910

Writer's direct dial: +1 (202) 408-7407
CDIAONLINE.ORG

February 8, 2021

The Honorable William C. Smith, Jr., Chair Senate Judicial Proceedings Committee Annapolis, MD 21401

Re: Favorable with amendments on <u>S.B. 691</u>, further regulation of consumer reporting agencies

Dear Chair Smith,

The Consumer Data Industry Association ("CDIA")¹ hopes to come to agreement with Sen. Hettleman, the sponsor of S.B. 691, and Del. Pakakovich Carr, the sponsor of the cross-filed bill, H.B. 861. In its present form, S.B. 691 could increase fraud in the rental marketplace, and it could limit the dissemination of accurate, adverse information to landlords creating additional risk to tenants and landlords.

CDIA has proposed amendments that balance the needs of all parties. CDIA's amendments will accommodate the proponents' desire for consumer-friendly tenant screening reusability. The amendments will also help tenant screening companies in their desire to limit fraud and set a baseline of information in the reports to keep tenants and buildings safe.

#### 1. The bill

The bill would create a new section in <u>Subtitle 1 (General Rules)</u> of the Real Property Article to require a landlord to either use a "reusable tenant screening report" or to inform applicants for a residential lease that it does not accept a reusable tenant screening report.

2. The proposal would allow a tenant to share residential screening information from one landlord to another in ways that could increase fraud

Rental report portability needs careful deliberation before it becomes law. The democratization of technology offers many benefits to consumers and businesses, but without certain controls, there is a strong likelihood of fraud.

<sup>&</sup>lt;sup>1</sup> CDIA is the voice of the consumer reporting industry, representing consumer reporting agencies, including the nationwide credit bureaus, regional and specialized credit bureaus, background check and residential screening companies, and others. Founded in 1906, CDIA promotes the responsible use of consumer data to help consumers achieve their financial goals and to help businesses, governments, and volunteer organizations avoid fraud and manage risk. Through data and analytics, CDIA members empower economic opportunity all over the world, helping ensure fair and safe transactions for consumers, facilitating competition, and expanding consumers' access to financial and other products suited to their unique needs.

Rental applicant fraud is an increasing concern, whether consumers apply to rent online or in person. Since the start of the pandemic, the percentage of fraud triggers detected through one leading rental housing fraud solution, <a href="ResidentID">ResidentID</a>, increased nearly 30%. Fraud triggers (applicant statuses with failed authentication and/or identified as high risk) reached a high of 15.2% of rental applicants in August 2020.<sup>2</sup>

Given such a high baseline rate of known potential rental applicant fraud, the bill's proposed approach it is the wrong approach. The bill increases economic and safety risks for landlords and the communities they protect.

Senate Bill 691 would open new avenues to fraud on the part of online and in-person applicants who would now present their own portable reusable screening reports with no obligation of accuracy or risk of liability for scrubbing the results to remove accurate, unfavorable information.

Substituting the rental applicant to provide a report in place of the secure, credentialed consumer reporting agency removes a key safeguard on which landlords rely. Students do not share their own transcripts with colleges if it cannot be independently verified. Home loan applicants do not submit their own financial information if it cannot be independently verified. Similarly, landlords will be taking a substantial risk if a consumer self-reports her own tenant history or criminal history absent third-party verification. There is wide latitude for abuse, much to the penalty of landlords and the tenants the landlords are trying to protect. The people with the most to hide will be the ones that hide the most.

### 3. The proposal would limit the dissemination of accurate, adverse information to landlords creating additional risk to tenants and landlords

Landlords and property managers need current, accurate information to keep their buildings and tenants safe. Limiting access to accurate but adverse information risks the safety of buildings and tenants. Taking away information that helps a landlord predict timely payment or assess criminal activity could be quite dangerous to the building and the people inside the building.

The reusable screening report package described in S.B. 691 lacks components common to tenant screening best practices today.

The report package contains no fraud verification report, and appears to prohibit a landlord to charge to obtain one to verify an applicant, should it accept resuable reports.

<sup>&</sup>lt;sup>2</sup> "Rise in Fraud Indicators Hits the Rental Industry During the Pandemic," <a href="https://newsroom.transunion.com/a-rise-in-fraud-indicators-hits-the-rental-industry-during-the-pandemic/">https://newsroom.transunion.com/a-rise-in-fraud-indicators-hits-the-rental-industry-during-the-pandemic/</a>.

Moreover, in contrast to credit history, the bill's proposed criminal, eviction, employment verification, and rental history in reusable reports have no requirements of currency or accuracy. These portions of an applicant's reusable report may be self-generated, dated, and incomplete. Nothing requires the applicant to meet or exceed federal and Maryland consumer reporting accuracy requirements.

#### 4. Conclusion

Through the adoption of CDIA's amendments, CDIA hopes to come to agreement with Sen. Hettleman and Del. Pakakovich Carr. In its present form, S.B. 691 could increase fraud in the rental marketplace, and it could limit the dissemination of accurate, adverse information to landlords creating additional risk to tenants and landlords.

CDIA has proposed amendments that balance the needs of all parties. CDIA's amendments will accommodate the proponents' desire for consumer-friendly tenant screening reusability. The amendments will also help tenant screening companies in their desire to limit fraud and set a baseline of information in the reports to keep tenants and buildings safe.

Sincerely,

Eric J. Ellman

Senior Vice President, Public Policy & Legal Affairs

**SB 691.pdf**Uploaded by: Castelli, William

Position: UNF



**Senate Bill 691** – Real Property – Landlord and Tenant – Reusable Tenant Screening Reports

**Position: Oppose** 

Maryland REALTORS® opposes SB 691 which, among other provisions, would prevent landlords that accept a reusable tenant screening report from charging any application fee.

Although a landlord would not have to charge as large an application fee if the landlord accepts a reusable tenant screening report, the landlord still has administrative expenses processing applications. These expenses involve time verifying employment status and past residency. If the intent of the legislation is to expand the use of reusable tenant reports, it should allow some recapture of those costs. These costs will be defrayed through a charge to prospective tenants or recovered through rent.

Although our property managers were not familiar with these reports, it is our understanding after the house hearing that these reports are downloaded by the landlord directly from the reporting agency. The REALTORS® believe that more landlords will use it if they download the information themselves directly.

For that reason, the Maryland REALTORS® recommends an unfavorable report.

For more information contact bill.castelli@mdrealtor.org, susan.mitchell@mdrealtor.org, or lisa.may@mdrealtor.org



# MBIA Testimony SB 691.pdf Uploaded by: Graf, Lori Position: UNF



February 24, 2021

The Honorable William C. Smith Jr. Senate Judicial Proceedings Committee Miller Senate Office Building, 2 East Wing 11 Bladen St., Annapolis, MD, 21401

RE: SB 691 Real Property - Landlord and Tenant - Reusable Tenant Screening Reports

Dear Chairman Smith:

The Maryland Building Industry Association, representing 1,100 member firms statewide, appreciates the opportunity to participate in the discussion surrounding SB 691 (Real Property - Landlord and Tenant - Reusable Tenant **Screening Reports**). MBIA Supports the Act with amendments.

This bill would create the Reusable Tenant Screening Report prepared by a consumer reporting agency for use in rental applications. MBIA supports this measure with amendments. MBIA supports generating a report by a third-party consumer reporting agency as a useful step in evaluating potential tenants with the best possible data available. However, prohibiting the landlord form charging the tenant an application fee would be a major detriment to the use of such a report. The application fees is designed to cover multiple landlord expenses in the screening of a new tenant and removing that fee would create a major disincentive to utilizing the report. MBIA supports this measure if Section 2 Paragraph D prohibiting the charging of application fee is stricken.

For these reasons, MBIA respectfully requests the Committee adopt the proposed amendment and give this measure a favorable report with the above amendments. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the Senate Judicial Proceedings Committee

## MD SB0691- PBSA\_Smoyer - UNF.pdf Uploaded by: Smoyer, Brent

Position: UNF



February 22, 2021

The Honorable William Smith, Chair Senate Judicial Proceedings Committee State Capitol Annapolis, MD 21401

**RE: PBSA COMMENTS ON SB 691 - OPPOSITION** 

On behalf of the Professional Background Screening Association (PBSA), whose members include Maryland residents and businesses, we write to you to with concerns regarding SB 691 and must respectfully oppose its advancement.

As a nonprofit organization consisting of over 850 small and large companies primarily engaged in the background screening profession, PBSA has been dedicated to providing the public with safe places to live and work since 2003. The PBSA member companies conduct millions of employment and tenancy-related background checks each year, helping employers, staffing agencies, and nonprofit organizations make more informed decisions regarding the suitability of potential employees, contractors, tenants and volunteers.

We believe SB 691 would have a significant, unintended adverse impact on the safety of Maryland citizens by opening the door to potentially significant fraud.

Since the beginning of the COVID-19 pandemic, we have seen increased incidents of fraud across platforms and applications, most notably in the rental housing market. The portability provisions contained in SB 691 further expands opportunity for fraud in both online and in-person applications. Individuals would be able to present these reports with zero security protocols in place to prevent the

removal of adverse information diminishing the accuracy of the report and increasing the liability to a landlord and those residing in their residential communities.

Current reports, as issued by highly regulated consumer reporting agencies, adhere to numerous standards for security, accuracy, and recency of information. The portable screening reports pondered in SB 691 contain none of these protections, nor do they contain provisions required by the best practice standards of the screening industry to ensure a robust and complete report. While consumer reporting agencies that provide these reports must meet stringent federal and state standards for accuracy, there are no such requirements here.

Further, the bill cannot guarantee confidence in the contents of a report when the legislation allows for applicants to self-report portions of this portable report with no third-party verification. This lack of requirements further opens the door to liability and harm to landlords and existing residents by missing vital information needed to make the most educated decision possible regarding an applicant.

A report outlined in this legislation is too indefinite to provide confidence in relying on its contents. A report that technically comports with the requirements of SB 691 could contain the criminal records of only one jurisdiction the applicant resided in, as opposed to their greater address history where relevant offenses may have occurred. More troubling yet, the requirements of the bill fail to include some of the most basic of background screening components such as a search of the national sex offender registry. This is a great concern to our members, as well as the residents and landlords we ultimately seek to protect.

PBSA respectfully opposes the advancement of this bill as it is currently written. While we support finding opportunities to increase access to housing and are eager to work with the Legislature to find workable solutions to achieve that goal, we feel this legislation contains too many gaps and loopholes for fraud, dishonesty, and inaccuracy that would result in risks to personal safety and financial damages to tenants and landlords alike.

We thank you for taking the time to hear our concerns. PBSA and its members are prepared to discuss any questions you may have and look forward to working with you in the future. Please feel free to contact me directly with any questions at 402-957-1179 or brent.smoyer@thepbsa.org.

Sincerely,

Brent Smoyer, JD
PBSA State Government Relations & Grassroots Director

