



Internal Processing Document for Residential Rentals/Compliance with Cook County Just Housing Amendment

Tenant Selection Criteria Provided¹ Date Completed: _____

Cook County's Applicant Rights Provided Date Completed: _____

Collect Application and fee Date Completed: _____

Step 1: Financials and/or tenant history

Review credit report Date Completed: _____

Review eviction history Date Completed: _____

Review income history Date Completed: _____

Review referrals/recommendations Date Completed: _____

Review of anything unrelated to criminal history; i.e. utility payments Date Completed: _____

After step 1, are you accepting this tenant Yes or No Date Completed: _____

Why? _____

If no, check with your attorney regarding need for Adverse Action Notice Date Completed: _____

Step 2: Review Criminal Conviction History

Provided copy of criminal background check to applicant² Date Completed: _____

Review criminal history Date Completed: _____

Sexual Offense³ Yes or No Date Completed: _____

Conviction within the last three (3) years Yes or No Date Completed: _____

Individualized Assessment Conducted⁴ Yes or No Date Completed: _____

Final decision made by landlord/owner⁵ Date Completed: _____

¹ Consider doing first come first served approach to tenant screening

² Once the criminal background check occurs, the housing provider must provide the criminal background data obtained to the applicant within five (5) business days.

³ Sexual offenses within a conviction history, regardless of when it occurred, may result in a denial of housing. They include being required to register under the Sex Offender Registration Act (in IL or other jurisdictions) or being subject to a current child sex offender residency restriction.

⁴ If denial for housing is necessary based on past convictions within three (3) years, the applicant will have five (5) business days to dispute any inaccuracies in the criminal history. Attached is a Cook County sample letter to be modified using your company's letterhead.

⁵ A final decision, following the applicant's opportunity to dispute period, must be made within three (3) business days.



Cook County Commission on Human Rights

Just Housing Amendment

Sample Language for Notices

The following is sample language provided by the Cook County Commission on Human Rights. A landlord must use its own letterhead for notices sent to applicants. Such notices must be delivered in person or via certified mail or electronic communication (text or email).

Notice of Right to Dispute Accuracy or Relevance

Dear [Applicant]:

Enclosed please find a copy of the confidential results of your criminal background check. The records show that you:

- A. Are subject to a current sex offender registration requirement pursuant to the Sex Offender Registration Act (or similar law in another jurisdiction);
- B. Are subject to a current child sex offender residency restriction; and/or
- C. Have a criminal conviction from the last three years based on the date of our application.

Under CCHRC R. 740.110, you have five (5) business days from the delivery of this notice to produce evidence that disputes the accuracy or relevance of any 1) criminal convictions from the last three years; and/or 2) records showing that you are subject to a current sex offender registration requirement or a current child sex offender residency restriction.

Relevant information is information that suggests that you are less likely to pose a demonstrable risk to personal safety or property. Examples of such information may include, a recent diploma, current job references, etc.

If you would like to dispute the accuracy or relevance of the record(s) referenced above, please send any supporting evidence to:

[Landlord/Agent]
[Address]
[Email]

Sincerely,
[Landlord]

Just Housing Amendment

Sample Language for Notices

Notice of Denial after Pre-Qualification

Dear [Applicant]:

You are hereby advised that although you received a pre-qualification notice for the property located at [Address], your housing application has been denied.

Section 1: Basis for Denial

Your denial is based upon on the following:

- A. A current sex offender registration requirement pursuant to the Sex Offender Registration Act (or similar law in another jurisdiction);
- B. A current child sex offender residency restriction.
- C. A criminal conviction from the last three years (based on the date of your application) that represents a demonstrable risk to personal safety and/or property.

(For denials based on C., please continue to Section 2.)

Section 2: Convictions

The denial of your application was based upon the following conviction(s):

Section 3: Criminal Background Check and Dispute Process

On [DATE], you were sent a copy of your criminal background check and informed of your right to dispute the accuracy and/or relevance of the information contained therein.

- You did not dispute the accuracy or relevance of the information contained in the criminal background check.
- You disputed the accuracy of the criminal conviction(s) in the criminal background check, but did not provide sufficient evidence (e.g., public records) in support of your claim(s).
- You disputed the relevancy of the conviction based on the following:

Just Housing Amendment

Sample Language for Notices

Section 4: Individualized Assessment

An Individualized Assessment was conducted pursuant to CCHRC R. 750.100 using the following factors:

- The nature and severity of the criminal offense and how recently it occurred; The nature of the sentencing;
- The number of the applicant's criminal convictions;
- The length of time that has passed since the applicant's most recent conviction; The age of the individual at the time the criminal offense occurred;
- Evidence of rehabilitation;
- The individual history as a tenant before and/or after the conviction;
- Whether the criminal conviction(s) was related to or a product of the applicant's disability; If the applicant is a person with a disability, whether any reasonable accommodation could be provided to ameliorate any purported demonstrable risk; and

Additional Relevant Factor(s), if any:

Based on the Individualized Assessment, it's been determined that your conviction(s) represents a demonstrable risk to personal safety and/or property because:

If you believe that you have been unlawfully discriminated against based on your criminal history, you have the right to file a complaint with the Cook County Commission on Human Rights within 180 days after the unlawful discriminatory act. The Commission is located at 69 W. Washington, Suite 1130, Chicago, IL 60602. You can contact the Commission at (312) 603-1100 or human.rights@cookcountyil.gov.