

Cook County On-Boarding Worksheet

As a landlord in Cook County, you have two sets of rules you have to satisfy, one being the Federal HUD Guidelines, and the other, the new Cook county ordinance. The Cook county ordinance has several holes and inconsistencies, but it is still pretty easy to follow. This worksheet provides you a step by step way to satisfy both the federal and local law. Be sure to run this by your attorney for approval.

Step 1 Market the Property

- List the property online and put a for rent sign on the property.
- Do not mention any criteria or qualifying information on the listing
- Schedule a time to show the unit to the applicant
- Provide all applicants with a copy of ALL of your criteria (credit, occupants, past resident history, crime free lease addendum, security deposit, animals, smoking, criminal history criteria, etc.) See the sample criminal history criteria attached to this worksheet.
- Provide the mandatory Cook County Information notice that that the landlord must provide to every applicant which states:
 1. “After the Landlord obtains the criminal background check results and provides a copy of the same to the Applicant within five calendar days, the Applicant shall have five (5) business days to produce evidence that disputes the accuracy or relevance of information related to any criminal convictions from the last three (3) years. “
 2. For more information contact:

human.rights@cookcountyil.gov
69 W. Washington Street
Suite 3040
Chicago, IL 60602
312-603-1100

<https://www.cookcountyil.gov/service/human-rights-ordinances-and-regulations>

See the sample Cook County Disclosure Notice receipt attached to this worksheet for the applicant to sign.

Step 2 The Application Process

- Provide an application to any interested party.
- Accept application fee and application, but do not ask or discuss, in person or on the application, about any criminal history, until after the prequalification stage.
- Have the applicant sign a receipt of the Cook County Disclosure Notice (sample below).

Step 3 Non-Criminal Prequalification Process (credit screening only process)

- Order a credit check (do not include any criminal history check yet)
- Complete employment history/income verification
- Calculate Debt/Income Ratio
- Complete rental history verification
- Analyze financial and credit against your criteria

Step 4 Make a Non-Criminal History Prequalification Decision

- Applicant passes all credit and financial criteria. Send Letter of pre-approval and notice of permission to run the criminal background investigation. Continue on to step 5.
- Applicant fails the criteria. Send a notice of Adverse Action specifying why the applicant failed to meet the requirements. Worksheet is now complete. No need to run criminal background check.

Step 5 Criminal Background Check Process

- Run the background check after sending the preapproved notice and obtaining permission to run the background portion of the screening. You can only go back 3 years. Most screening

companies give you a 7 year history, but anything over 3 years cannot be considered and seeing anything over 3 years will only create legal issues for you.

[] You must deliver the background results to your applicant within 5 days after you receive it either in person, by certified mail or electronic communication like text, email or fax. We suggest delivering the results the same day you receive them in order to move the process along and to not lose precious time.

Step 6 Analyzing Criminal Background Check – Required Individualized Assessment

[] Compare the background history results to your criteria. If the criminal history passes your criteria, then send an approval notice.

[] For all applicants who do not pass your criminal criteria you must wait 5 business days after you send the criminal history results to the applicant to hear if the applicant disputes the accuracy or relevance of the criminal history results, before performing a criminal history individual assessment.

[] If the applicant disputes the criminal history results within the 5 business days, you have 3 business days to:

[] perform an individual assessment, AND;

[] either approve or deny occupancy in writing (an adverse action letter);

[] based on a conviction;

[] with an explanation of why the denial is necessary to protect against a demonstrable risk of harm to personal safety and/or property.

[] Making a “declined” decision before the 5 business days has expired may be violating the rules of Cook County.

Step 7 How to Perform an Individual Assessment when criminal records are found –

Do these factors change your risk?

- The nature and severity of the criminal offense;
- The nature of sentencing;
- The number of the applicant's criminal convictions;
- 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, and;
- If the applicant is a person with a disability, whether any reasonable accommodation could be provided to ameliorate any purported demonstrable risk.

The criminal record must show a demonstrable risk or foreseeability of likely risk of harm in the future to persons or property. Your detailed criteria should evaluate the risk and make this step fairly easy.

Note: You do not need to relitigate the case. You must require convincing documented proof of rehab, case inaccuracies, or relevance, etc. The applicant simply saying they will be a good tenant is not enough.

Disclosure Notice of Cook County Human Rights Ordinance

I understand that pursuant to the Cook County Human Rights Ordinance, that I have rights afforded to me concerning criminal background screening. A Landlord may only look at the past 3 years of criminal conviction history from the date of the application.

I have a right to know all the criteria up front including credit, criminal, past residential history, employment history, crime free lease addendums, security deposits, pets, smoking, and any other qualifying criteria.

I also have the right to receive my own copy of the background report and understand the law that says:

“After the Landlord obtains the criminal background check results and provides a copy of the same to the Applicant within five calendar days the Applicant shall have five (5) business days to produce evidence that disputes the accuracy or relevance of information related to any criminal convictions from the last three (3) years. “

I also have the right to file a complaint to the Human Rights Commission at:

human.rights@cookcountyil.gov

69 W. Washington Street
Suite 3040
Chicago, IL 60602
312-603-1100

<https://www.cookcountyil.gov/service/human-rights-ordinances-and-regulations>

I have received this notice and have read the information contained above.

Applicant Signature _____ Date: _____

Applicant Signature _____ Date: _____

Applicant Signature _____ Date: _____

Sample Criteria and Qualifying Information

In order to protect our property and tenants from demonstrable risk of harm to persons and/or property, the following criteria is used to analyze qualifying information on each applicant and occupants.

Credit Scores

625 to 825 Credit Score - Pass

550 to 624 Credit Score - Conditional

350 to 549 Credit Score - Declined

Past Residential Verification

Applicant must have 2 years of satisfactory rental history

Applicant may not have an open eviction in the last 2 years or an unpaid rental collection within 2 years.

Employment

Applicant must have 2 years of positive employment history

Gross income of all applicants must be 3 times the rent

Additional Criteria

This property does not allow pets over 5 lbs unless it is a documented service animal

This property does not allow smoking anywhere on the property

Once you are prequalified through our credit and income analysis, we perform a criminal background check. Disqualifying information is below:

Criminal History

Any Felony or Misdemeanor relating to or regarding a person, property or drug related criminal activity in the past 3 years for the date of the investigative report to the date of the conviction including robbery, burglary, theft of any kind, weapons violation, assault of any kind, murder, sexual assault, embezzlement, fraud of any kind, selling or distribution or manufacturing of drugs, trespassing, stolen identity or any other crime they may be demonstrative of harm a person or property.

Each Crime will warrant an individualized assessment and analyze the appropriate risk based on information received by the applicant to include any rehabilitation or information relevant to the risk.

However, no individualized assessment will be performed if the applicant has a criminal history that includes the following:

1. A current sex offender registration requirement pursuant to the Sex Offender Registration Act (or similar law in another jurisdiction) and, or;
2. A current child sex offender residency restriction.

Crime Free Community

This home participates in the Crime Free Community and requires a signature on the Crime Free Addendum at the time of lease signing indicating that the applicant will live a crime free lifestyle while a resident, see the Crime Free Addendum.

I have received the property criteria and have read the information contained above.

Applicant Signature _____ Date: _____

Applicant Signature _____ Date: _____

Applicant Signature _____ Date: _____