

Breakwater Northwest, LLC

APPLICATION SCREENING CRITERIA (Financially Responsible Applicants)

OWNER/AGENT'S EVALUATION PROCESS: In Portland, applications are processed in the order received. Outside of Portland, Breakwater reserves the right to rent to the most qualified applicant. Applications are processed one at a time. Upon receipt of a completed application, the contents of the application are compared to the screening criteria by Owner/Agent and the Applicant is either approved or denied in compliance with all local, state and federal laws. Applicants are welcome to provide supplemental evidence to mitigate potentially negative screening results. Applicants have 30 days to appeal denied applications, during which time they may correct, refute, or explain negative information forming the basis for the denial. Following an approved appeal, applicants are also prequalified for any rental opportunities at Owner/Agent's properties for three months following the approval date. All screening fees are waived for three months following the approved appeal, but Applicants under these circumstances will be required to certify in writing that no conditions have materially changed from those described in Owner/Agent's approved application. If conditions have materially changed, Owner/Agent may use those changes as the basis for a denial.

APPLICANT'S RIGHT TO DISPUTE: You have a right to dispute the accuracy of any information provided to us from the screening agency or credit agency (Equifax). You have a right to appeal any negative determination.

COMPLETE APPLICATIONS REQUIRED: Applicants with incomplete applications will not be considered. An application is deemed complete when all adult applicants over the age of 18 have: 1) completed an application, 2) paid the application fee; 3) submitted three month's of paystubs or other income verification, if required; 4) submitted pictures of photo ID; and 5) submitted pictures of any pets, if applicable.

CO-SIGNER: Breakwater Northwest, LLC is not required to accept a co-signer to approve a tenant. A tenant that requires a co-signer to qualify is not considered a qualified applicant. Breakwater Northwest may, but is not required to, accept a co-signer as part of the individualized assessment of an application. Out-of-State co-signers are generally not accepted. If, as part of an individualized assessment, Breakwater Northwest decides to accept a co-signer, said co-signer must meet all rental criteria delineated in this Application Screening Criteria, with the exception that income must be at least 4x rent to qualify.

OCCUPANCY POLICY

1. Occupancy is based on the number of bedrooms in a unit. (A bedroom is defined as a habitable room that is intended to be used primarily for sleeping purposes, contains at least 70 square feet and is configured so as to take the need for a fire exit into account.)
2. The general rule is two persons are allowed per bedroom. Owner/Agent may adopt a more liberal occupancy standard based on factors such as size and configuration of the unit, size and configuration of the bedrooms, and whether any occupants will be infants.

GENERAL STATEMENTS

1. Any of the following items, or combination thereof, will be accepted to verify the name, date of birth and photo of the applicant:
 - i) Evidence of Social Security Number (SSN Card)
 - ii) Valid Permanent Resident Card
 - iii) Immigrant Visa
 - iv) Individual Taxpayer Identification Number (ITIN)
 - v) Non-Immigrant Visa
 - vi) Any government-issued identification regardless of expiration date
 - vii) Any non-governmental identification or combination of identifications that would permit a reasonable verification of identity
2. Each applicant will be required to qualify individually or as per specific criteria areas.

3. Inaccurate, incomplete or falsified information will be grounds for denial of the application.
4. Any applicant currently using illegal drugs will be denied. If approved for tenancy and later illegal drug use is confirmed, termination shall result.
5. Any individual whose tenancy may constitute a direct threat to the health and safety of any individual, the premises, or the property of others, will be denied tenancy.
6. Any harassment or verbal abuse toward Breakwater Northwest employees, or toward any screening service used by Breakwater Northwest, shall result in denial.

INCOME CRITERIA

1. For Portland applicants, monthly gross income must be 2 times the monthly stated rent*, or 2.5 times the monthly stated rent if the monthly rent amount is below the maximum monthly rent for a household earning no more than 80 percent of the median household income as published annually by the Portland Housing Bureau. https://www.multifamilynw.org/PHB_Rent_Income_Limits. For applicants applying to a home outside of Portland, gross income must be 2.5x the monthly stated rent.
2. Income sources shall include, but are not limited to: wages, rent assistance (non-governmental only), and monetary public benefits and are based on the cumulative financial resources of all financially responsible applicants. Applicants failing to qualify under this section may, at Owner/Agent's discretion, be required to pay an additional security deposit in the amount of half a month's rent. *If applicant will be using local, state or federal housing assistance as a source of income, "monthly stated rent" as used in this section means that portion of the rent that will be payable by applicant and excludes any portion of the rent that will be paid through the assistance program.
3. Twelve months of verifiable employment will be required if used as a source of income.
4. Applicants must submit 3-months of paystubs as part of their application, or must be able to verify income in some other reliable manner. Owner/Agent will verify current employment has part of the application process.
5. Applicants using self-employment income will have their records verified through the state corporation commission, and will be required to submit records to verify their income, which may include the previous year's tax returns.

RENTAL HISTORY CRITERIA

1. Twelve months of verifiable contractual rental history from a current unrelated, third party landlord, or home ownership, is required. Less than twelve months verifiable rental history will require a security deposit not to exceed one and a half month's rent and/or qualified co-signer.
2. Two or more notices for nonpayment of rent within one year will result in denial of the application.
3. Two or more dishonored checks within one year will result in denial of the application.
4. Rental history reflecting any past due and unpaid balances to a landlord will result in denial of the application.
5. Rental history including three or more noise disturbances or any other material non-compliance with the rental agreement or rules within the past two years will result in denial.

EVICTION HISTORY CRITERIA

Five years of eviction-free history is required. Eviction actions that were dismissed or resulted in a judgment for the applicant will not be considered.

CREDIT CRITERIA.

1. Credit score above 600 is required. Credit score between 500 and 600 may be considered if applicant meets all other rental requirements, including but not limited to income criteria, rental history criteria, etc. NOTE: all applicants who are being relied upon to meet Income Requirement must also meet all credit criteria. Breakwater reserves the right to reject applicants whose credit score is less than 600.
2. Negative or adverse debt showing on consumer credit report may require additional security deposits or acceptable co-signers or denial.
3. A history of two or more prior collections and/or delinquent payments in the last 24 months, or any single current unpaid collections action will result in denial of the application.
4. A bankruptcy within the last five years will result in the denial of the application.

CRIMINAL CONVICTION CRITERIA

1. Upon receipt of the Rental Application and screening fee, Breakwater will conduct a search of public records to determine whether applicant or any proposed resident or occupant has a “Conviction” (Conviction, for purposes of this Rental Application, includes charges pending as of the date of the application; a conviction; a guilty plea; or no contest plea) for any of the following crimes as provided in ORS 90.303(3): drug-related crime; person crime; sex offense; crime involving financial fraud, including identity theft and forgery; or any other crime if the conduct for which applicant was convicted or is charged is of a nature that would adversely affect property of the landlord or a tenant or the health, safety or right of peaceful enjoyment of the premises of residents, the landlord or the landlord’s agent.
2. Breakwater will not consider a previous arrest that did not result in a Conviction or expunged records.
3. If applicant, or any proposed occupant, has a Conviction in their past which would disqualify them under these criminal conviction criteria, and desires to submit additional information to Breakwater along with the application so Breakwater can engage in an individualized assessment (described below) upon receipt of the results of the public records search and prior to a denial, applicant should do so. Otherwise, applicant may request the review process after denial as set forth below, however, see item (c) under “Criminal Conviction Review Process” below regarding holding the unit.
4. A single Conviction for any of the following, subject to the results of any review process, shall be grounds for denial of the Rental Application.
 - a. Conviction of any crime that requires lifetime registration as a sex offender, or for which applicant is currently registered as a sex offender, will result in denial.
 - b. Felonies involving: murder, manslaughter, arson, rape, kidnapping, child sex crimes, or manufacturing or distribution of a controlled substance.^{SEP}
 - c. Felonies not listed above involving: drug-related crime; person crime; sex offense; crime involving financial fraud, including identity theft and forgery; or any other crime if the conduct for which applicant was convicted or is charged is of a nature that would adversely affect property of the landlord or a tenant or the health, safety or right of peaceful enjoyment of the premises of the residents, the landlord or the landlord’s agent, where the date of disposition has occurred in the last 7 years.
 - d. Misdemeanors involving: drug related crimes, person crimes, sex offenses, domestic violence, violation of a restraining order, stalking, weapons, criminal impersonation, possession of burglary tools, financial fraud crimes, where the date of disposition has occurred in the last 5 years.
 - e. Misdemeanors not listed above involving: theft, criminal trespass, criminal mischief, property crimes or any other crime if the conduct for which applicant was convicted or is charged is of a nature that would adversely affect property of the landlord or a tenant or the health, safety or right of peaceful enjoyment of the premises of the residents, the landlord or the landlord’s agent, where the date of disposition has occurred in the last 3 years.
5. Criminal Conviction Review Process: Breakwater will engage in an individualized assessment of the applicant’s, or other proposed occupant’s, Convictions if applicant has satisfied all other criteria (the denial was based solely on one or more Convictions) and: 1) Applicant has submitted supporting documentation prior to the public records search; or (2) Applicant is denied based on failure to satisfy these criminal criteria and has submitted a written request along with supporting documentation. Supporting documentation may include:
 - a. Letter from parole or probation office;
 - b. Letter from caseworker, therapist, counselor, etc.;
 - c. Certifications of treatments/rehab programs;
 - d. Letter from employer, teacher, etc.
 - e. Certification of trainings completed;
 - f. Proof of employment; and

g. Statement of the applicant.

Breakwater will (a) Consider relevant individualized evidence of mitigating factors, which may include: the facts or circumstances surrounding the criminal conduct; the age of the convicted person at the time of the conduct; time since the criminal conduct; time since release from incarceration or completion of parole; evidence that the individual has maintained a good tenant history before and/or after the conviction or conduct; and evidence of rehabilitation efforts. Breakwater may request additional information and may consider whether there have been multiple Convictions as part of this process. (b) Notify applicant of the results of Breakwater's review within a reasonable time after receipt of all required information. (c) Hold the unit for which the application was received for a reasonable time under all the circumstances to complete the review unless prior to receipt of applicant's written request (if made after denial) the unit was committed to another applicant.

REQUESTS FOR ACCOMODATIONS

If you require a reasonable accommodations, please email management@breakwaternw.com and request a Request for Reasonable Accommodation Form.

FAIR HOUSING ACT

Breakwater Northwest, LLC screens all applicants equally in accordance with the Federal Fair Housing Act. We do not discriminate on the basis of race, color, creed, national origin, sex, gender, age, marital status, familial status, physical or mental disability or sexual orientation.

APPLICATION REFUNDS

All applications are processed immediately upon receipt. Because the cost of screening is incurred immediately upon submission, there is no right to an application refund after submission.

Please note that under Oregon law, if an application is NOT processed, applicants have a right to a refund of the screening charge within 30 days under the following situations:

- The unit is filled before the Applicant's application has been screened;
- The Landlord has not conducted or ordered any screening of the applicant before the applicant withdraws the application in writing.

Applicants may recover from the landlord twice the amount of any applicant screening charge paid, plus \$250, if the landlord fails to comply with the rules above, or, the landlord does not conduct a screening of the applicant for any reason and fails to refund an applicant the screening charge within 30 days.