

Frequent Asked Landlord Questions about Rental Application Fee Ordinance 244.1910 (16)

1. Does this ordinance apply even if I do not charge an application fee?

No.

2. Do I need to change my application form to comply with the ordinance?

Yes. The form must include a place for the applicant to indicate their preferred method for the return of the application fee in one of the following ways:

- a. Mailing it to an applicant's chosen address
- b. Destroying it
- c. Holding for retrieval by the tenant upon one business day's notice

3. Do I have to tell the applicant what my criteria are for judging their application?

Yes. This information has to be given in writing before the application fee is accepted.

4. What if I turn down an applicant for reasons listed in the written criteria?

Within 14 days you must notify the applicant in writing of the reasons for the rejection. Name the criteria that were not met. Also, you must send the name, address and phone number of any tenant screening or credit reporting agency you used in the process (note that state law also requires this disclosure before accepting the application fee.)

5. What if I turn down an applicant for reasons not listed in the written criteria?

The application fee must be refunded. Follow the applicant's instructions as to how to return the fee (mentioned in Question #2 above).

6. Can I still accept several fees at once for each vacancy; screen all the applicants and then select the best one?

No. However, you can collect more than one application fee as long as you provide each applicant with a written receipt. You can cash only one fee at a time. After the first tenant is screened and rejected, or is offered the unit and declines it, you can move on to the next applicant. You can continue to cash one fee and screen one applicant at a time until the apartment is rented. Once the unit is rented, you must return all un-cashed fees you are holding in the manner discussed in Question #2 above.

7. What happens if I don't follow the new ordinance?

This ordinance went into effect on 12/1/04. Violations may result in an administrative citation, or may contribute to the denial or revocation of your rental license.

If you have any questions please call *Housing Services at 612-673-3003.*