



How To Effectively Advocate for Clients Seeking Housing



After representing tenants seeking housing over the last several years, HJC has learned a few things through its Renters Reclaim the Record advocacy project.

Hopefully these thoughts will help others who are helping clients overcome difficult pasts to get into housing.

1. Don't take no for an answer. Affordable housing providers, and even some market rate landlords, will offer appeal rights in their denial notices. **Where you think the denial decision is questionable, or where there is relevant information you can offer that might change the decision, it's worth appealing.** It is not unusual for landlords to reverse their decision on appeal. Even if the letter does not offer the right to appeal, we have had some success in requesting it anyway.

2. Circumstances matter. Landlords like to have clear cut screening standards; for example, no misdemeanors in the last five years. But in their desire to place all past criminal, rental or credit history in blanket categories leading automatically to approval or denial, **the real question can get lost: does this tenant's past history suggest a genuine risk of problems for the future?**

For example, two roommates rent an apartment. One moves out but neglects to give notice. The other roommate falls behind on the rent and gets evicted. Because the roommate who moves out is still listed on the lease, when that person applies for a new apartment, the eviction and back rent claim show up on their background report, resulting in an application denial. That person could be faulted for failing to give notice, but should not be denied for an eviction and rent claim for which she is not responsible.

Fair Housing Law acknowledges the importance of individual circumstances.

3. The A, B, Cs of effective advocacy. Know the three essential steps to effective advocacy in this field.

A. Ask the landlord for their tenant screening policy. You need to know how this landlord will be making or has made their admission decision, so you can tailor your arguments to their policy where possible.

B. Background Report. See exactly what the landlord sees about your client. Get the background report ran for the landlord by the tenant screening company. The denial notice should tell you how to request this report.

C. Circumstances. Know the circumstances that led to the basis for denying your client (i.e., criminal conviction, eviction record) as well as any life changes your client has made since then. The bottom line—try to show why what happened in the past is unlikely to happen again.

4. We're here to help. HJC's Renters Reclaim the Record can either advise on issues that come up with your clients in housing admissions, or we can directly represent those clients in seeking housing. This could include drafting explanation letters clients can use in applying, appealing denials, or seeking expungements of court records. We frequently work closely with housing stabilization agencies.

Call us at 1-800-429-1705.

