



TEXAS ASSOCIATION OF REALTORS®

INFORMATION REGARDING THE MODEL TENANT SELECTION CRITERIA FORM

Disclaimer concerning the Use of this Model Policy: This model tenant selection criteria form is a suggested format with suggested text that Texas REALTORS® may use as a guide to develop an office policy related to the selection of tenants. The Texas Association of REALTORS® does not represent or warrant that this model document addresses all items that should be addressed in a tenant selection criteria form or that compliance with this model document will eliminate any potential responsibility or liability by the company or its agents.

Summary of Applicable Law

When adopting tenant selection criteria one should consider the following statutes:

- (a) Section 92.3515 of the Property Code; and*
- (b) The Fair Credit Reporting Act, 15 U.S.C.A, Section 1681, Chapter 41.*

Texas Property Code Section 92.3515 requires you to make available to a residential tenancy applicant a copy of your printed tenant selection criteria and the grounds for which a rental application may be denied. While you do not have to provide a copy of the policy every time you receive an application, you are required to have a copy of your selection criteria available in the event an applicant requests it. Failure to make a copy of the tenant selection criteria available to an applicant who is rejected could result in the landlord's forfeiture of any application fee and application deposit.

The Federal Fair Credit Reporting Act requires a landlord to provide certain information to an applicant who is rejected based upon information the landlord obtained from the applicant's Credit Reporting Agency (CRA) report, commonly referred to as a credit report. That information includes the agency from which the information was obtained and that agency's contact information. In order to comply with that requirement, you should use TAR Form 2212, "Adverse Action Notice and Credit Score Disclosure", or an equivalent form.

Property Management

REALTORS® who are managing rental property on behalf of property owners should consider that owners may have specific selection criteria that will need to be added to or deleted from this model document. Be sure to have a conversation with your client prior to adopting this form for any particular property.

Tenant Selection Criteria

These criteria are being provided in reference to the Property located at the following address: _____

(Street Address) _____ (City,
State, Zip).

Pursuant to Property Code Section 92.3515, these Tenant Selection Criteria are being provided to you. The following constitute grounds upon which Landlord will be basing the decision to lease the Property to you. Based on the information you provide, Landlord may deny your application or may take other adverse actions against you (including, but not limited to, requiring a co-signer on the lease, requiring an additional deposit, or raising rent to a higher amount than for another applicant). If your application is denied or another adverse action is taken based upon information obtained from your credit report or credit score, you will be notified.

The Roberts Real Estate Group does not discriminate against any person based on race, color, religion, sex, national origin, handicap status, family status, or any other state or locally protected classifications.

To be considered for approval, all adults (18 years or older) must fully complete and submit a rental application, provide a valid social security number, and a copy of their driver's license or any other picture ID. Each "applicant" must also submit a \$50.00 non-refundable processing fee (certified funds only). Any omissions, errors, or falsifications may result in denial of an application or terminate the right to occupy the rental home. **All information obtained is kept confidential.**

1. **Criminal History:** Landlord will perform a criminal history check on you to verify the information provided by you on the Lease Application. Our decisions are based on the information provided by a third party verification services at the time of application. We are not responsible for inaccurate information obtained.
 - Any applicant with a record of a violent crime(s) will be automatically denied. This also includes any terrorism related convictions or charges.
 - Any person convicted for crimes of a sexual nature, designated as a sexual predator/offender will not be accepted.
 - Other infractions will be considered on a case basis. Our decisions are based on the information provided by a third party verification services at the time of application. We are not responsible for inaccurate information obtained.
2. **Previous Rental History:** Landlord will verify your previous rental history using the information provided by you on the Lease Application. Your failure to provide the requested information, provision of inaccurate information, or information learned upon contacting previous landlords may influence Landlord's decision to lease the Property to you. Any applicant with an eviction, a broken lease, or owing another landlord money will result in a denial. If older than five years and the applicant has good rental history since, applicant will may accepted with an additional deposit.
3. **Current Income:** Applicant household income must be at least 3 times the monthly rent. Landlord may require a greater income/monthly rental amount ratio if applicant's Credit History reveals high long term debt liabilities. The rental amount being asked for the Property, your income and debt liabilities, along with the ability to verify the stated income, may influence Landlord's decision to lease the Property to you.
4. **Credit History:** Landlord will obtain a Credit Reporting Agency (CRA) report, commonly referred to as a credit report, in order to verify your credit history. A minimum Fico score of 625 is preferred. Landlord's decision to lease the Property to you may be based upon information obtained from this report. If your application is denied based upon information obtained from your credit report, you will be notified, but legally, we cannot provide you a copy of the credit report.
5. **Failure to Provide Accurate or Complete Information in Application:** Your failure to provide accurate information in your application or your provision of information that is unverifiable will be considered by Landlord when making the decision to lease the Property to you.
6. **Employment:** Applicant must be employed and provide proof of income. We require complete information for at least three (3) years of employment. Each applicant must provide written proof of income such as check stubs (three most recent months required), offer letter, most recent year's tax record or three most recent bank account statements, or written verification of employment and income directly from employer and verified by phone, with application submission. If military, we need a current copy of your LES.

Acknowledgment of Receipt
of
Tenant Selection Criteria

“Signing this acknowledgment indicates that you have had the opportunity to review the landlord’s tenant selection criteria. The tenant selection criteria may include factors such as criminal history, credit history, current income, and rental history. If you do not meet the selection criteria, or if you provide inaccurate or incomplete information, your application may be rejected and your application fee will not be refunded.”

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