



# Policy for Screening of Applicants with Prior Felony Conviction

For the safety of its other residents and its property, Country Manor Apartments screens applicants for prior felony convictions. As a fair housing provider, Country Manor Apartments must guard against intentional and unintentional bias in excluding applicants from housing. To that end, Country Manor Apartments establishes the following review policy for applicants with previous felony convictions.

This document may be distributed to applicants.

## Absolute Bans

The United States Department of Housing and Urban Development requires project owners receiving federal assistance to deny housing to applicants meeting any of the following criteria:

- Anyone who has been convicted of manufacturing methamphetamine on federally assisted property.
- Anyone subject to lifetime registration for a sex offense.
- Current users of illegal drugs, abusers of alcohol, or patterns interfering with health, safety, or peaceful enjoyment.
- Anyone who, within the last 3 years, has been evicted from federal housing for drug-related criminal activity *unless* (1) drug rehabilitation or (2) circumstances leading to eviction no longer exist.

Whether or not Country Manor Apartments accepts tenants with HUD vouchers, it nonetheless adopts these absolute bans from HUD as best practice.

## Clear Acceptance Criteria

The criteria to consider in weighing whether a previous felony conviction is relevant to a current housing decision are the nature, severity, and recency of the crime.

### Nature

Convictions for felonies that do not pose a danger to other residents or the property of Country Manor Apartments or its residents are irrelevant. An example is embezzlement.

### Severity

The criminal justice system recognizes classes of felonies according to severity. Since this part of the policy defines *acceptance* criteria, it will not define the least severe class of felony that will result in acceptance (some felonies of the lowest class may still pose a danger to residents or property), but anything in the judgment of the employee taking the application that is not severe enough to warrant denial should be disregarded. One possible example might be resisting arrest. While potentially connected with violence, it does not have to be a severe crime.

### Recency

If the felony conviction is six years or more in the past, it is no longer relevant.

## Review Cases

Anything that is not a clear denial or a clear acceptance will be subject to review.

### Procedure

In order to eliminate sources of bias, the following procedure is defined, which may be carried out by the applicant themselves, but must be carried out by the employee taking the application if the applicant requests it. This is to ensure literacy or access to technology are not barriers to housing.

A written record will be taken describing the following aspects of the case:

- A description of the crime.
- Mitigating factors that led to the crime (e.g. intoxication, untreated mental illness, age).
- Time since the crime.
- Mitigating factors since the crime (e.g. rehabilitation, family attendance, good tenant history).

This description must then be fed to any program capable of rewriting text to eliminate bias, such as ChatGPT, with the instruction to rewrite the text to eliminate any indication of the applicant's name, race, color, national origin, religion, sex, familial status, or disability (unless necessary as part of the mitigating factors). Prefacing the description with the following instruction has worked well in tests: "Rewrite the following description into neutral English and remove any indication of the narrator's name, race, color, national origin, religion, sex, familial status, or disability." Using a program such as ChatGPT also eliminates potential indicators of cultural origin, language proficiency, and academic background.

The text produced in the last step must be approved by the applicant before proceeding.

The text must then be submitted to an employee of Country Manor Apartments who is wholly unfamiliar with the case and the applicant. That employee will then render a decision on the application based on their judgment of whether the applicant poses a threat to resident health, safety, or right to peaceful enjoyment, or to property.

If a criminal record is used in the decision-making process, the applicant must receive the name and contact information of the screening company that produced the report. The applicant may also receive a copy of the criminal record.

## Guidance

As stated above, Country Manor Apartments considers convictions six years or more in the past irrelevant, but best practice in the field suggests the following guidelines for a reasonable time before discounting previous convictions in housing decisions:

- 12 months for drug-related criminal activity.
- 24 months for violent criminal activity and criminal activity that threatens health, safety and right to peaceful enjoyment by others.

Reasonable accommodation must be made for disabilities. This includes persons who are recovering from addiction and have successfully completed or are undergoing substance abuse treatment.

Arrests are not convictions and should not be taken into consideration.

Criminal background checks, especially from private screening companies, are often inaccurate and incomplete. Some problems include wrong person, no disposition, misclassifying offenses, and revealing sealed/expunged records.

## Sources

HUD Housing Guidance for People with Criminal Records. October 26, 2016.

<https://housingactionil.org/downloads/conference2016/HUDHousing%20GuidancePeopleCriminalRecords.pdf>, retrieved November 2, 2025.

HUD Gives Further Guidance on Criminal Background Screening,

<https://www.fairhousingnc.org/newsletter/hud-gives-further-guidance-on-criminal-background-screening/>, retrieved November 2, 2025.