

Dear Members of the House Transportation, Housing & Local Government committee,

My name is Andrew West and I am a Policy Associate with the Colorado Coalition for the Homeless. We provide lasting solutions to homelessness through housing, healthcare, support services, and advocacy, serving over 20,000 adults and children each year. I am writing to express our support for House Bill 1236.

In 2023, we supported HB23-1099, which required a landlord to accept a portable tenant screening report from a prospective tenant. Rather than paying for a new background check alongside each rental application, the legislation allows them to pay for one background check and bring it to multiple landlords. The aim of this policy was to help individuals and families save money on application fees, access more housing options, and exit homelessness more quickly.

While this bill was a positive step towards improving efficiency and saving renters money as they search for housing, there have been a couple issues that have hindered the ability for a prospective tenant to use a portable screening report.

The first is that tenants are unclear where they can actually access a portable screening report that, as required by the 2023 bill, includes their name, contact information, verification of employment and income, last-known address, a criminal history record check for all federal, state, and local convictions, and rental and credit history in jurisdictions they've lived.

In addition, the report must be from within the last 30 days and made available to a landlord directly from the reporting agency. In reality, companies that provide these services generally do not have an option to send a report directly to a landlord. So, even if a report can be produced, a landlord is allowed to reject it if it hasn't been provided directly by the screening service. As a result, tenants are largely unable to access tenant screening reports as was intended under HB23-1099.

In the consideration of a rental application from a tenant with a voucher or housing subsidy, the landlord cannot consider credit score, an adverse credit event, or lack of credit score, pursuant to 38-12-904. However, a portable tenant screening report must include rental and credit history in order to be sufficient for a landlord to accept. This puts prospective tenants with vouchers in a bind—they can either disclose credit score information that isn't required in order to access a portable screening report, or they can forgo the report and pay duplicative background check fees on applications.

1236 will remedy this by clarifying that tenants with housing subsidies are not required to include credit history in their screening reports and repealing the provision allowing a landlord to require that a report is made directly available to them from the source. Together, the provisions in this bill will enhance accessibility for tenants with vouchers and ensure that more people are able to use screening reports as intended. We urge your yes vote to reduce the need for duplicative background checks and streamline the application process. Thank you for your consideration.

Sincerely,
Andrew West
Policy Associate
Colorado Coalition for the Homeless