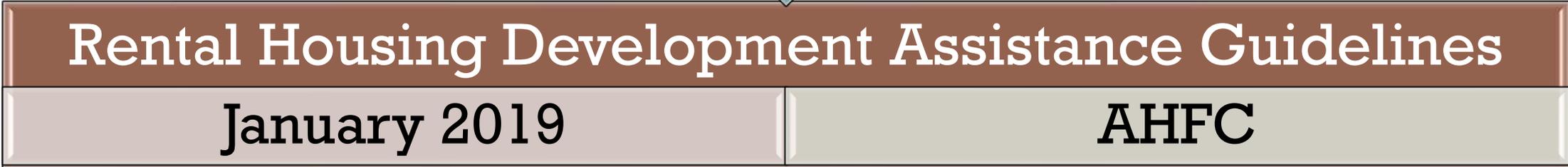


# TENANT SELECTION

- **Item 5** – Briefing on tenant selection policies and procedures regarding criminal backgrounds required by the City’s Rental Housing Development Assistance (RHDA) Program and recommended by the Austin/Travis County Reentry Roundtable.



# TENANT SELECTION



# TEXAS CRIMINAL BACKGROUND SCREENING GUIDE

“In no discretionary situation should the enumerated look-back period extend greater than **seven (7) years**. Research indicates that at seven years past the offense date, the likelihood that a person with a prior criminal record will engage in future criminal conduct decreases to where it approximates the likelihood that a person with no criminal history will engage in criminal conduct. However, different criminal convictions yield different likelihoods of recidivism. The following chart offers **suggested** lookback periods for different types of crimes based on best practices from other similar policies.



# TENANT SELECTION CRITERIA

- **Only criminal convictions** will be taken into consideration in the criminal background screening process.
- Criminal convictions will be screened from the **date of conviction**.
- Criminal convictions will be clearly listed on the Housing Applicant Criminal Background Screening Addendum to the Lease Application. Criminal convictions shall have **no overlap or catch-all category such as “unclassified offenses.”**
- With the exception of criminal convictions that fall with the categories of conduct prohibited in federally funded housing, no felony conviction, or misdemeanor conviction involving violent crimes against persons, crimes against property, or for significant drug related or prostitution related offenses, shall have a look-back period exceeding **seven years** from the date of conviction. No other type of misdemeanor conviction shall have a look back period exceeding **three years** from the date of conviction.
- Applicants shall be provided an opportunity for **individualized review** if the date of conviction is within the designated look-back period.



## Suggested Look-Back Periods Based on Type of Crime and Conviction

Type	Crime	Type of Conviction	*Suggested Look-Back Period from Date of Conviction
<b>Crimes Against Persons</b>	Assault and Battery Offenses	Felonies	3 years
	Domestic Violence Offenses	Felonies	3 years
		Misdemeanors	3 years
	Use of a Firearm Against a Person Offenses	Felonies	4 years
	Armed Robbery Offenses	Felonies	4 years
	Robbery Offenses (no weapon involved)	Felonies	3 years
	Intentional Homicide Offenses	Felonies	4 years
	Manslaughter Offenses	Felonies	4 years
	Kidnapping and Abduction Offenses	Felonies	4 years
	Forcible Sex Offenses <sup>30</sup>	Felonies	4 years
	Non-Forcible Sex Offenses <sup>31</sup>	Felonies	3 years
Stalking Offenses	Felonies	3 years	
<b>Crimes Against</b>	Arson-Related Offenses	Felonies	4 years
	Burglary/Breaking and Entering-Related Offenses	Felonies	3 years
	Theft, Stolen Property, Fraud-Related Offenses	Felonies	3 years (only if 2+





**TENANT  
SELECTION**

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Questions/  
Discussion