

How to Appeal the Denial of a Housing Application Based on Criminal Screening Information

This guide is intended for use with [the sample letter](#) to request an in-person appeal meeting when a housing provider denies your application for housing based upon the results of criminal background screening. This guide and sample letter rely upon HUD's Guidance on the Use of Criminal Records to help applicants appeal denials for housing and request an individualized assessment of their suitability for tenancy.

The sample letter requests an in-person meeting to appeal a housing denial. In preparation, collect letters of support from individuals who can speak to your character, changes you have made in your life, and why you would make a good tenant, if approved. It may also be helpful to bring an advocate (i.e. attorney, social worker, faith leader, or family member) to the in-person appeal meeting to present a strong appeal and demonstrate that you have community support.

The U.S. Department of Housing and Urban Development (HUD) released guidance in 2016 on the "[Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions](#)". HUD's Guidance indicates that commonly-used criminal background screening policies violate the Fair Housing Act because they disproportionately impact Black and Latinx applicants and because less discriminatory alternatives exist.

Get the denial in writing. If you did not receive a written denial, request a letter stating the reason your application was denied. Save all emails, voice mails, and written communication you receive from the housing provider regarding your application, your application denial, and your request for appeal.

Timing matters. If the housing you applied for receives federal assistance, such as public housing or subsidized housing, the denial letter will specify a deadline to appeal. It is critical that your request for an in-person appeal meeting be timely submitted and received. Private housing providers may or may not specify a deadline to appeal, but appealing promptly may be important while the property is still available.

Keep a record The [written request for an in-person appeal](#) may be submitted by email, mail, fax, or in person. It is important to have documentation that the request was sent and received.

- **For in-person delivery**, bring an unrelated witness or ideally obtain a copy stamped received by the office.
- **For emails**, send with delivery confirmation or read receipts requested and call the office to confirm receipt. Applicants may also request a reply in the message to confirm receipt.
- **For faxes**, save the fax confirmation page and follow up with a call to the office to confirm receipt.
- **Mailed letters** should be sent by certified mail or with delivery confirmation from the post office which will show when, where and whether the letter was delivered.

Focus your appeal on the point(s) of concern. Knowing the specific conviction(s) for which your application was denied and being prepared to address it will help strengthen your appeal. If the housing provider used a third party or a credit reporting agency to conduct your criminal screening, the Fair Credit Reporting Act entitles you to request a copy of the report they received.

If your appeal is denied. Contact the Fair Housing Center at 216-361-9240 for information on your rights and options.

Note: If your prior convictions resulted from or are related to a disability (*mental or physical illness, past alcohol abuse, or past drug addiction*) and you have a treatment plan, or are now in recovery contact the Fair Housing Center at 216-361-9240 as we may be able to work with you to request a reasonable accommodation to have your application evaluated without considering the related criminal convictions.