



## Using Sex Offender Records in the Resident Screening Process

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In this article, we discuss national sex offender data as it applies to multifamily operators. Where does this data come from? What are the best practices for incorporating sex offender data into your comprehensive screening process?

### National Sex Offender Data & Legislation

The Quality Housing and Work Responsibility Act of 1998 prohibits the admission of lifetime registered sex offenders to federally assisted housing [1]. In response to this legislation, the Department of Housing and Urban Development clarified and established rigorous sex offender screening protocols [2].

With over 700,000 registered sex offenders living in the US [3], there was a need to consolidate these records into a publicly accessible national database. A cooperative effort between the federal government and independent jurisdictions hosting sex offender registries has created a national sex offender database. This database, commonly known as the Dru Sjodin national sex offender list, is comprised of aggregated data from all 50 states and is available online. However, sex offender data is regulated and maintained at the state (jurisdiction) level, meaning that different state regulatory policies impact the consistency of national sex offender data resulting in slight variations in data available to the public depending on the state.

### Using Sex Offender Data to Screen Your Applicants

With full public access to a national registry of sex offenders, how exactly are property managers using this data to screen their applicants?

Regardless of property type, almost all management companies will set screening criteria to reject any applicant that is listed on the national sex offender registry. There may, however, be exceptions to this industry-wide practice when property management companies must adjust their

screening criteria to accommodate state-specific laws or regulations regarding the use of sex offender data.

Standards for screening and rejecting registered sex offenders have been adopted by multifamily operators across the country to promote safe environments for their residents and their employees. Additionally, the risk of a damaged reputation for property managers and the financial consequences of a failed audit or lawsuit are monumental. By effectively using national sex offender data to screen your applicants both at the lease signing and lease renewal, such consequences can be avoided.

### Regulation and Compliance

Complying with HUD guidelines is imperative to successful affordable housing management because violations could result in lost credit and subsidies, fines or other penalties. Your resident screening provider should understand the importance of these regulations and provide clear applicant screening files that document the national sex offender search was conducted on each applicant. Explicit evidence of a completed search is invaluable to property managers as HUD audit contract administrators require documentation that clearly specifies that a national sex offender search has been conducted for each screening performed.

### Conclusion

Ultimately, using sex offender data to screen your residents is an easy and relatively inexpensive way to help protect your bottom line, your residents, your employees and your communities' reputation. If you have questions or concerns about using sex offender data to effectively screen your applicants, contact your resident screening provider today.

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#### Citations:

[1] <http://www.hud.gov/offices/pih/phr/about/titlev.pdf>

[2] <http://www.nhlp.org/node/1212>

[3] [http://www.missingkids.com/en\\_US/documents/sex-offender-map.pdf](http://www.missingkids.com/en_US/documents/sex-offender-map.pdf)