

TENANT SCREENING

LEASE INTEGRATION



Dear Clients and Friends,

John and I and our Orca Pod have worked hard another year to give you the best service we could possibly provide. We thank you for your loyalty, your business, and your friendship.

ORCA IS WISHING YOU THE HAPPIEST CHRISTMAS CHEER AND PROPEROUS NEW YEAR!!!!

CITY OF SEATTLE

The WA State Supreme Court ruled AGAINST Landlords and FOR the "first in time" ordinance.

This ordinance requires landlords to rent to the first financially-qualified tenant who applies. And the Seattle City Council's "Fair Chance Housing Ordinance" **also forbids landlords from considering applicants' criminal histories.** The ordinances "tell us" it is to curb "subconscious racial bias among the city's landlords." However, in doing so, the city and the court have **taken away constitutionally protected rights of landlords** to rent their property—in a nondiscriminatory manner, at freely negotiated price. Also, Freedom of Association, *The Essentials of Human Rights, is now gone.*

The court ruling means that a property owner has no discretion on any other possible tenants if the first applicant meets the minimum income requirements, and owners cannot base a rental decision on factors like personal safety to persons or property because of the other ordinance which prohibits use of criminal records on background check. (Fair Chance Housing)

A landlord is now forced to rent their property to convicted criminals, rapists, etc. if that applicant submits their application ahead of any others.

This is a disastrous ruling that may very well put property owners and neighbors in serious danger. Large corporations are now taking over Seattle apartments because they are the ones with the resources to deal with the inevitable tenant problems that will result from these horrible laws. Landlords should be allowed to protect themselves and their livelihoods by asking basic questions about an applicant's criminal history. Whatever happened to, "SAFE AFFORDABLE HOUSING"?

~Bill Burch, Property Manager

WHAT MANY LANDLORDS ARE DOING IN RESPONSE TO FAIR CHANCE HOUSING AND OTHER ORDINANCES

True story: Meet a successful landlord and owner of the largest affordable housing management company in WA State. This is a person dedicated to "safe and affordable housing" for the last 30 years.

Continued.....

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360-588-1633 ext. 1111
Danielle@orcainfo-com.com

Have You Received Your NEW & IMPROVED Rental Application Yet?

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Coming soon in Spanish!

Call or email:
Lucy or Danielle
800-341-0022
Lucy@orcainfo-com.com,
Danielle@orcainfo-com.com

What Are People are Saying About Orca

Hi Danielle --

Thank you again for all of your patience and thorough help both today and a few weeks ago! I am very impressed with your customer service and the philosophy of the company and am looking forward to working with you!

S.T., Apartment Owner

Tired of Filling Out Leases by Hand?

- *Save You & Your Team Time and \$\$\$\$
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Continued.....

Immediately upon passing of the ordinances described above, she sold her successful affordable housing management company. She also owned a gorgeous home on top of Queen Anne Hill. She LOVED Seattle! She sold the home and moved away. She told me, "I am done with Seattle"!

I have heard many such stories from landlords across this state. They sell and move to Idaho or Arizona or Texas where LANDLORDS ARE WELCOME!!!

Who buys these properties from landlords? Ask the landlord lobbyists in Olympia. They will tell you the following: There are two or three major investment companies from the Northeast of the US. They have LOTS of money. They are buying up the properties in the Seattle area and WA State. Is that good or bad? What happens when there is a monopoly in any industry? THE OWNERS WILL THEN DICTATE RENT (with or without rent control rent will be sky high) and quality of housing will drop. It is good, healthy competition in business that keeps costs down and quality high. THIS IS A STATISTICAL PROVEN FACT!! This is what you learn in business 101, a bone head business class, fundamental rules of business.

Do You Think The Fair Chance Housing Ordinance (affective 2016) Has Any Impact On Crime In Seattle?

One property manager asked me this question last week. Then he sent me the following news from various sources. He asked me to share this with others.

I was shocked!!!

1. **Per the FBI's 2017 statistics**, New York City today has a property-crime rate of 1,448 per 100,000 citizens while Seattle's is 5,258 per 100,000 people --- that's 363% higher. The only major city worse is San Francisco (6,168 property crimes per 100,000 residents).
2. **Seattle has one of the highest property crime rates** per capita in the US. The majority of those involved in repeat property crimes, like car prowls, struggle with addiction. Per Scott Lindsay, Candidate for City Attorney, 2017
3. **Street crime forces environmentally-conscious company to flee Seattle** - KOMO News 10/9/19. A company that epitomizes Seattle's environmental values is packing up and leaving town because of street crime and its president is putting the blame on city policy. "Street crime is crushing us, we are a small company, we just can't do it," says Allen. Because of all the theft and vandalism, he says it doesn't make business sense to keep the business running. "It's sad and demoralizing." Allen has written Seattle Mayor Jenny Durkan and Seattle City Council twice of his company's issues with street crime. The mayor has yet to respond.
4. **SoDo's only grocery store to close amid nearby crime**, 12/12/19. After dealing with nearby homeless camps, used needles, shoplifting, theft and in-store assaults, the SoDo Grocery Outlet will close. The closure is significant for several reasons. While corporate officials downplay crime and homelessness as factors in the decision to close, police stats paint a different picture. According to the Seattle Police Department's Crime Dashboard, the Grocery has the third-highest number of 911 service calls of any store in the neighborhood.
5. **King County Courthouse entrance to reopen amid safety concerns**, 12/13/19. Between Jan. & Sept., Seattle PD responded to 160 assaults — both misdemeanor and aggravated assaults involving weapons or serious injuries — with 146 of them occurring across the street from the courthouse. The total is up from 155 and 120 assaults reported in the same block during the same period in 2018 and 2017.

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EMPLOYMENT SCREENING

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Pre-Employment Inquiries and Arrest (Charges) & Conviction
From EEOC Website

Federal law does not prohibit employers from asking about your criminal history. But, federal EEO laws do prohibit employers from discriminating when they use criminal history information. Using criminal history information to make employment decisions may violate Title VII of the Civil Rights Act of 1964, as amended (Title VII).

1. Title VII prohibits employers from treating people with similar criminal records differently because of their race, national origin, or another Title VII-protected characteristic (which includes color, sex, and religion).
2. Title VII prohibits employers from using policies or practices that screen individuals based on criminal history information if:
 - * They significantly disadvantage protected individuals such as African Americans and Hispanics; AND
 - * They do not help the employer accurately decide if the person is likely to be a responsible, reliable, or safe employee.

Difference Between Arrest (Charges) Records and Conviction Records

The fact that an individual was arrested (charged with a crime) is not proof that he engaged in criminal conduct. Therefore, an individual's arrest record standing alone may not be used by an employer to take a negative employment action (e.g., not hiring, firing or suspending an applicant or employee). Instead, criminal charges may trigger an inquiry into whether the conduct underlying the arrest justifies such action.

In contrast, a conviction record will usually be sufficient to demonstrate that a person engaged in particular criminal conduct. In certain circumstances, however, there may be reasons for an employer not to rely on the conviction record alone when making an employment decision.

Several states' laws limit employers' use of arrest and conviction records to make employment decisions. These laws may prohibit employers from asking about arrest records or require employers to wait until late in the hiring process to ask about conviction records. If you have questions about these kinds of laws, you should contact your state fair employment agency for more information. Or contact Rebekah Near at Orca Information, Inc.

Continued in next issue.....

NEED I-9 INFORMATION?
Orca Information Offers I-9 information For Your Employment Applicant

Tax Identification Numbers (TIN) are assigned to non-citizens in the US for tax purposes only—This is how they can legally pay taxes, which is a requirement. It is not common for credit history to be established under these numbers, however it can happen. Our company checks to see if credit has been established when an applicant provides a TIN and will provide that report if it's available. Note: TINs do not provide proof of legal status or eligibility/authorization for work.

For more information contact Danielle, Account Executive. Danielle@orcainfo-com.com

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BOOK A CLASS NOW!

**Educating business owners?
Need classes for H.R. professionals?**

Rebekah Near is now offering the following:

FAIR HIRING CLASS: EEOC AND USE OF CRIMINAL RECORDS IN EMPLOYMENT SCREENING

Using criminal history to hire employees may violate Title VII of Civil Rights Act of 1964. Learn how to maneuver through this and other laws affecting your decision to hire based on criminal records.

Important Questions We will Explore:

1. Can I continue to deny applicants based on certain criminal records?
2. Why could I be sued if I “treat everyone the same”?
3. What new procedures should I put in place for denying applicants based on violent crimes?
4. What is an Appeal Process?
5. Should I add special wording to my Employment Criteria to help minimize liability?
6. Are there forms I can use to streamline the hiring process?

Rebekah Near has 26 years in processing Employment Screening Reports. Rebekah is a RE clock hour instructor in the State of WA. She has held classes for numerous organizations in multiple states. She is now offering this class to any HR Association, Chamber of Commerce or private company with 15 employees or more. This is a 1, 2, or 3 hour class.

For more information contact Rebekah, Rebekahn@orcainfo-com.com

Holiday Hours:

Christmas

Tuesday, 12/24/2019 - Close at 3 PM
Wednesday, 12/25/2019 - CLOSED
Thursday, 12/26/2019 - Opening at 9 AM

New Years

Tuesday, 12/31/2019 - Close at 3 PM
Wednesday, 1/1/2020 - CLOSED
Thursday, 1/2/2019 - Opening at 9 AM