



Tenant & Employment Background Investigations

Monthly Newsletter

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TENANT SCREENING

LEASE INTEGRATION

Do you Manage Any Property in the City of Seattle?

In the city of Seattle laws are changing. If you manage rentals in the city of Seattle contact us immediately! Call Danielle at extension 1111 or Christie at extension 1140

CLASS ACTION LAWSUIT AGAINST PROPERTY MANAGEMENT SOFTWARE-TENANT SCREENING SERVICE

September 27, 2017 a class action lawsuit was filed against a property management software - tenant screening service. The claims are the following:

This company refused to comply with the fair credit reporting act..... They would not adapt procedures to ensure utmost accuracy preparing tenant screening reports. The lawsuit was filed in Washington state.

Additional details — This software—tenant screening service does not retrieve public records from court houses or actual government offices. Nevertheless they... Falsely list the names and addresses of court houses and other government offices as the true “source” of it’s public record information.

The public record information that Defendant receives from its vendors are not the actual court records. Rather... Distilled version of court records...

These distilled records frequently have numerical and other factual errors, do not contain the most up-dated status of the public records, invert the debtor and creditor (credit report), And placed in wrong consumer file.

.... Defendant is more interested in maintaining the appearance that it receives actual public records from true government sources and in protecting its low-cost private sources of public records data than disclosing to consumers vital information Congress required screening companies to disclose pursuant to 1686g(a)(2).....

For the actual court documents on this class-action lawsuit click the link below:

<https://www.classaction.org/news/wa-consumer-files-class-action-against-credit-reporting-co-appfolio>

SUPPORTING OUR CLIENTS!!!

Last year Orca Information sponsored property managers and staff in the pursuit of education. We paid for their classes and in one case, the cost of the class AND their hotel. We want to help the industry stay educated. They have a tough job and we want to support them in every way possible.

The Agencies were: Yakima Housing Authority & Grant County Housing Authority

ORCA - Watching Your Back!!!!

**EMPLOYMENT SCREENING****DRUG TESTING****Using Consumer Reports: What Employers Need to Know**

When using consumer reports to make employment decisions like hiring, promotion, reassignment, and retention, the Fair Credit Reporting Act requires you to take important compliance steps.

Your company has job vacancies to fill. You're also thinking about promoting some employees from within the company. You've winnowed down the stack of applications and resumes and want to run background checks through a third party company (Orca Information, Inc.) who is in the business of compiling background information.

Employment background checks also are known as consumer and or investigative reports. They can include information from a variety of sources, including credit reports and criminal records. The Federal Trade Commission (FTC) enforces the FCRA.

Complying with the FCRA - You must take certain steps before you can get a consumer report, and before and after you take an adverse action based on that report.

Before You Get a Consumer Report You must:

Tell the applicant or employee that you might use information in their consumer report for decisions related to their employment. **This notice must be in writing and in a stand-alone format. The notice cannot be in an employment application.** You can include some minor additional information in the notice, like a brief description of the nature of consumer reports, but only if it does not confuse or detract from the notice.

Get written permission from the applicant or employee for a background check to be processed. This can be part of the document you use to notify the person that you will get a consumer report. If you want the authorization to allow you to get consumer reports **throughout the person's employment**, make sure you state this in writing clearly and conspicuously.

Certify that you have complied with FCRA requirements to the company (Orca Information, Inc.) from which you are getting the applicant or employee's information. In other words – send your screening company copies of the documents given to applicants so they can confirm you are following the laws. You must certify that you:

- 1.) notified the applicant or employee and got their permission to process a background check;
- 2.) complied with all FCRA requirements; and
- 3.) will not discriminate against the applicant or employee or otherwise misuse the information, as provided by applicable federal or state equal opportunity laws or regulations.

Note: Review applicable laws of your state related to consumer reports. Some states restrict the use of consumer reports – usually credit reports – for employment purposes.

..... to be continued next month