

**TENANT SCREENING****LEASE INTEGRATION****The Consistency Trap: When "Fair" Policies Create Unfair Risk**

Many managers assume that as long as they apply the same strict rules to everyone – the consistency trap- they're protected from fair housing trouble but the legal landscape is shifting.

By The Fair Housing Institute

In property management, it's tempting to lean on zero-tolerance screening policies. They're fast, efficient, and feel like a safe bet against discrimination claims.

But relying solely on an algorithm creates a real problem. When we prioritize a rigid "yes or no" over an actual conversation, we aren't just being efficient—we're often creating a legal liability and missing the human context that defines real risk. The challenge today isn't just about who we let in, but how sophisticated and fair our process is for those we initially turn away.

**The Illusion of Objective Safety**

A common mistake in the industry is thinking that a blanket ban is a safe harbor.

Many managers assume that as long as they apply the same strict rules to everyone, they're protected from fair housing trouble. However, the legal landscape is shifting. Regulators now look closely at the disparate impact of these neutral-sounding rules. For example, a policy that automatically rejects anyone with a criminal record might unintentionally hit certain protected groups much harder than others. By sticking to an inflexible standard, you might actually be turning a risk-management tool into a legal target.

Being a pro in this field means moving past the "set it and forget it" mindset of automated screening. We have to acknowledge that data has limits. A low credit score might come from a one-time medical emergency rather than a habit of not paying bills. A conviction from a decade ago might have zero bearing on how someone will behave as a neighbor today. When we refuse to look behind the numbers, we aren't really protecting the property; we're just ignoring the nuances that help us understand who a person actually is.

**The Strategic Value of the Appeal**

Moving from a simple "Yes/No" system to a real appeals process might feel like more paperwork, but it's actually a smart business move. An individualized assessment shows that you're making a good-faith effort to follow fair housing laws. By giving applicants a clear way to share their side—whether it's evidence of rehabilitation or an explanation for a financial dip—you change the story from one of "rejection" to one of "due process." If a decision is ever challenged, having a documented, person-centered rationale is your best defense.

Please click on link below for full article:

**[The Consistency Trap: When "Fair" Policies Create Unfair Risk - Rental Housing Journal](https://www.orcainfo.com/uploads/How-to-order-and-view-a-report1.pdf)**

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Eugene, OR

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**HOW TO ORDER AND VIEW AND VIEW A REPORT**

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## Jesse Jones: Gig companies say workers pass background checks, but do they?

When Ken Goldberg wanted his home cleaned, he contacted a company named Homeaglow.

On their website, Homeaglow says homeowners don't have to be home when the cleaners are there. The company further states that its cleaning professionals "have passed a criminal background check and have been thoroughly reviewed."

Goldberg said that their safety guarantee was the reason he signed up with Homeaglow.

"The only reason I hired this company is because they told me that," he said. "Had I not read that, they wouldn't have been hired by me. End of story.

" But a check of Goldberg's cleaner by private investigator Andy Holmes, CEO of Holmes Risk Management, shows a wide history of violent criminal activity.

"The Washington State Patrol's watch report, an \$11 report, would have shown that that person has nine felonies and three gross misdemeanors in the last three years," said Holmes.

He said the State Patrol Report shows the worker with assault, weapon, and theft convictions.

Holmes is not surprised by the results for one reason, "a background check is not truly a criminal background check."

A background check also includes not only criminal and civil records but also education and employment history.

A criminal check must go deep for it to be effective. However, there are differing legal limits across the country on how far a business can look into a person's criminal history.

Holmes said federally, you can't go back more than seven years. Some of the local municipalities have written in their city laws that you can't go back more than three years.

Washington law allows employers to look back 10 years for criminal convictions.

Goldberg's cleaner had a conviction for firearm possession in April 2023. Holmes showed us a letter he received from Homeaglow confirming the worker was with the company six months later, corresponding with when he cleaned Goldberg's home.

Holmes said their ads don't match reality. "I'll tell you that if anything, they're giving people a false sense of security that opens them up to be a potential victim," he said.

Please click the link below for full article:

<http://www.orcainfo-com.com/uploads/JesseJones2.pdf>

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