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Cook County Commission on Human Rights

Just Housing Amendment Screening Process

Step One: Prequalification

This step includes checking the applicant's credit history, employment, income, payment delinquencies, bankruptcies, etc.

If the applicant passes pre-qualification, then the landlord moves on to Step Two.



Step Two: Criminal Background Check

This step screens **ONLY** the three (3) year criminal history of the applicant. Any convictions older than three (3) years **MAY NOT** be used to deny a housing application. If a conviction is found, the landlord must conduct an individualized assessment.

Based upon the individualized assessment, the landlord must notify the applicant of an approval or denial.



Step Three: Approval or Denial and Right to Dispute

If the applicant passes both checks, they will receive notification of approval. If they did not pass Step One or Step Two, the landlord may deny the application, and the applicant has the right to dispute the denial.

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Individualized Assessment Tool

The individualized assessment is an evaluation tool to use after the landlord has completed a criminal background check. This tool will help determine if criminal history within the three (3) year lookback period negatively impacts the applicant's ability to fulfill the responsibilities of tenancy. This questionnaire is not an all-inclusive instrument and should not be taken as such.

All answers to questions within an individualized assessment should be documented for possible future reference.

- ▶ What is the nature, severity and recency of conduct to the criminal history?
- ▶ What is the nature of the individual's sentencing?
- ▶ What is the number of convictions for the individual?
- ▶ What length of time has passed following the individual's most recent conviction?
- ▶ What age was the individual at the time of the most recent conviction?
- ▶ Has the applicant offered evidence of rehabilitation?
- ▶ What was the individual's tenant history before and/or after the conviction?
- ▶ Was the criminal conviction(s) related to or a product of the applicant's disability?
- ▶ Are there any other additional relevant factors that I should consider?

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Dispute Resolution Procedure

Copy of background check must go to applicant within (5) five business days of obtaining the background check if one was provided.

Landlord may not consider any information related to criminal history before applicant is pre-qualified and that is more than (3) three years old.

Five (5) business days



The applicant shall have (5) five business days to produce evidence that disputes the accuracy or relevance of information related to any criminal conviction from the last (3) three years.

Nothing within the rules prevent the landlord from approving another pre-qualified individual during this dispute process.

Five (5) business days



Following applicant opportunity to dispute, the landlord shall conduct an individualized assessment to determine whether the individual poses a demonstrable risk.

Individualized Assessments shall ONLY consider criminal conviction history that is within the (3) three year lookback period.

Three (3) business days



A landlord must either approve or deny an individual's application within (3) three business days of receipt of information disputing information in the criminal background check.

Denials must be in writing, provide an explanation as to why and contain a statement informing the applicant of their right to file a complaint with the Commission.