



**Civil Rights, Inclusion  
and Opportunity**

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## **Notice to Landlords**

### Detroit City Code Sec. 26-5-1 Fair Chance Access to Rental Housing

The ordinance applies to all landlords within the City of Detroit with a portfolio of 5+ properties.

#### Under the Fair Chance Ordinance, you must comply with the following:

1. Housing provider **SHALL NOT** represent or communicate in any way that persons with arrest or conviction will not be considered for rental or lease
2. Housing provider **SHALL** state in all solicitations or advertisements the following statement: "The rental or lease of this property must comply with the City of Detroit Ordinance regulating the use of criminal background checks as part of the tenant screening process to provide citizens with criminal backgrounds a fair opportunity. For additional information please contact the City of Detroit Office of Civil Rights, Inclusion and Opportunity."
3. If the housing provider intends to deny housing based on conviction history, they **MUST** provide the applicant with a copy of the background check, within 14 days, **applicant** must notify of any inaccuracies and the housing provider **must then delay action for no less than 5 days**, and reconsider in light of the updated information.
4. This notice must be posted in solicitations or advertisements for the rental or lease, website, and any location frequently visited by applicants or potential applicants for the rental or lease of eligible housing in the City, with a **HARD COPY** to applicants.
5. Questions regarding the applicant's criminal history must be held until the potential tenant has been deemed qualified and offered a conditional lease.
6. You have the right to deny housing based on the following:
  - a. Ineligible for public housing
  - b. Lifetime registered sex offenders
  - c. Violent or drug-related felonies
  - d. Felonies committed in the last 10 years, imprisonment in the last 5 years
  - e. Crimes against landlords, management, employees, agents, tenants
  - f. Arson
  - g. Metal theft, vandalism, real property damage
7. Retain tenant application and pertinent data and records relating to this Ordinance for one (1) year.



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## **Notice to Tenants**

Amendment of Chapter 26 of the 1984 Detroit City Code, Housing, by adding Article V, Fair Chance Access to Rental Housing.

Under the Fair Chance Ordinance, you have the right to:

1. Have all of your credit history, income, and leasing history for affordable housing decided and offered a conditional lease before your housing provider knows anything about your prior arrest conviction record.
2. The following should not be taken into consideration for denial of application once determined eligible:
  - a. Arrest that did not result in a conviction
  - b. Participation or completion of a diversion or deferral of judgment program
  - c. Juvenile record
  - d. Misdemeanor conviction over 5 years old
  - e. Information regarding other violations such as civil infractions Infraction
  - f. Convictions that has been expunged or invalidated by a court or pardon.
3. If the landlord denies applicants based on the listed criteria, the applicant can file a Civil Rights complaint with the City of Detroit's Civil Rights, Inclusion, and Opportunity Department which can result in misdemeanor charges if found in violation.
4. If a landlord decides to deny your application based on your criminal history, the landlord must give you a copy of your background check report made them decide to deny your application. Once you get this information, you then have changed or the information is inaccurate and would make a good tenant. You can do this by giving the landlord evidence of rehabilitation record and a means for denial is found, a copy of the background report must be provided to the applicant and the applicant has 14 days to submit evidence like the following:
  - a. Letter from their employer,
  - b. Parole or probation officer,
  - c. Community service, or Completion of relevant program

**For more information contact the Civil Rights, Inclusion and Opportunity Department at 313.224.4950 or email [crio@detroitmi.gov](mailto:crio@detroitmi.gov)**