

## Why the disclaimer?:

Have you ever received a consumer report to find this statement or something similar at the bottom?

*(CRA) does not guarantee the accuracy of the information as to the subject of the investigation, but only that it is accurately copied from public records. Information generated as a result of identity theft, including evidence of criminal activity, could be inaccurately associated with the consumer who is the subject of this report. Further investigation into additional jurisdictions may be warranted.*

Did it make you wonder why a company would report information and tell you it may not be accurate?

To get an answer to this question you first need to understand how criminal history is stored. Criminal history is most commonly searched by the applicants name and date of birth only. That leaves many variables when searching for an applicant's criminal background. Often times the general public thinks there is one place in which all criminal history is stored. To get a truly accurate report, a landlord would need to search all the sources listed below:

- **Multistate Databases** – *Landlords commonly use this search when beginning a criminal history check.*

This is sometimes referred to as a "National Criminal Database", and there are many different ones available to use. These are a good tool but do not include all the criminal records in the United States. These include records from some counties, department of corrections, administrative office of the courts, and other agencies that allow their information to be obtained online.

Since these records are not always up to date, they should they should be verified and searched along with the other criminal searches below to help ensure further accuracy.

**\*An applicant may also have criminal history with one of the following:**

- **District Level Searches**
- **County Level Searches** – *Best practice: Search applicants county of residence*
- **State Level Searches**
- **Federal Level Searches**

**It would be expensive to search every city, county, and state the applicant has lived, worked, and vacationed along with a federal database search. Therefore, most CRA's will have a disclaimer that lets the end user know the report may not represent 100% accuracy.**

Alias names are also a very important factor, for instance; if an applicant has been married multiple times they may in fact have criminal history under a maiden name or past married name. All of the names would need checked to get a more comprehensive search. Another scenario may be an applicant's name is "James", but he completes his application as "Jamie" or "Jim", he could potentially mislead you to search for his nickname rather than his real name where the criminal history will be found. Alias names the applicant has used in the past can generally be found on a Social Trace. The same goes for someone named "Kathryn", which could complete their application as "Kate", "Katie", "Kathy" etc..

Lastly, if an applicant has been recently arrested or is in court proceedings at the time they apply, the record may not be found on the Multistate Databases until the proceedings are complete and the database has been updated. This is another reason it's always best to include at least one district and one county to ensure accuracy.

Overview:

1. Understanding the disclaimer CRA's use on their reports
2. Sources from which an applicant's criminal history may be obtained
3. Alias names and recent arrest can affect the criminal background check.

For information about the NAPBS Tenant Screening Committee, please contact [info@napbs.com](mailto:info@napbs.com).