

# My rental application was denied

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**Last Review Date**

April 29, 2025

Learn about reasons that your rental application may be denied, what landlords are allowed to do and prohibited from doing when denying applications, and what you can do to try and get your applications approved.

## **1. Common denial reasons**

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If you apply to rent a place to live, the landlord may screen you. Screening means the landlord checks into your background to decide if they want to rent to you.

In most cases, the landlord will ask for a screening report from a tenant screening company. Tenant screening companies search through court records, credit reports, and other databases to create a report about you.

In Washington State, landlords who screen tenants must follow the requirements of RCW 59.18.257 (<https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.257>).

Landlords approve or deny rental applications based on the information they find in the screening process.

Some of the most common reasons that rental applications are approved or denied are:

- Credit history, especially debts owed to former landlords
- Rental history, including bad references from former landlords
- Eviction court records
- Criminal court records
- Employment and income level
- Social Security Numbers and immigration status

Sometimes landlords deny applications illegally, based on a discriminatory reason. This guide will describe what you can do if your application is denied and what you can do to try and get them approved.

## 2. Credit history and debt

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Landlords may not want to rent to you if you have credit problems. Poor credit suggests a higher risk to the landlord that you may default not pay rent on time. You may need to take additional steps to explain your credit and reassure the landlord that you will reliably pay your rent and other bills on time.

**Know what's in your credit reports:** You can request get free credit reports (<https://www.annualcreditreport.com/index.action>) from each of the 3 major credit reporting bureaus: Equifax, Experian, TransUnion. The 3 reports should have the same information, but sometimes they do not. It's good to check all 3.

You may request a free credit report with one of the following three options:

- Visit AnnualCreditReport.com (<https://www.annualcreditreport.com/index.action>)
- Call 1-877-322-8228
- Complete the Annual Credit Report Request Form (<https://www.consumer.ftc.gov/sites/www.consumer.ftc.gov/files/articles/pdf/pdf-0093-annual-report-request-form.pdf>) and mailing it to:

Annual Credit Report Request Service  
PO Box 105281  
Atlanta, GA 30348-5281

You can learn more about free credit reports on the Federal Trade Commission Consumer Advice on Free Credit Reports website (<https://consumer.ftc.gov/articles/free-credit-reports>).

**Dispute errors on your credit reports:** Carefully review your credit report. Check to make sure the information is accurate, complete, and up to date. If you find mistakes on your credit report, write to the credit bureaus and the business to challenge (dispute) the mistakes. You can try to get the mistakes removed from your report. You can follow the instructions on the Federal Trade Commission's website on Disputing Errors on Your Credit Reports

(<https://consumer.ftc.gov/articles/disputing-errors-your-credit-reports>). Fixing mistakes on your credit report may take a while. If you need to apply for a new rental right away, you can be upfront with your potential landlord about the mistakes on your credit report and provide proof. You can explain what you are doing to fix the problem.

**Repair identity theft:** Mistakes on your credit report may be a sign of identity theft. Identity theft can damage your credit with unpaid bills and past due accounts. If you suspect someone is misusing your personal information, go to [IdentityTheft.gov](https://www.identitytheft.gov/) (<https://www.identitytheft.gov/>) to report it and get a recovery plan. You may report the crime to the non-emergency police line to get a police report number. A police report can be helpful if you need to challenge (dispute) charges that aren't yours. You can be upfront with your potential landlord that you are a victim of identity theft. You may provide a copy of the police report. Explain why your credit score does not accurately reflect that you generally pay on time.

**Debt reported by former landlords:** Your former landlord or property management company may report that you owe debt to them, (<https://wlh.netlify.app/en/guide-deposits-and-damages>) including unpaid rent, late fees, cleaning fees, damages exceeding your deposit, etc. If you lost an eviction case, there may be a judgment against you, saying you owe money and attorney's fees to the landlord.

#### **Resolving a debt with a former landlord:**

- **Payment plans:** If you agree that you owe money to your former landlord, you can try to negotiate a repayment plan. If your former landlord agrees to a repayment plan in writing, you may attach to your application a copy of the repayment plan with an explanation. This may give the new landlord more confidence in renting to you.
- **Landlord Mitigation Fund:** If you lived in subsidized housing and agree you owe damages, you can talk to your former landlord about applying for the [Washington State Department of Commerce: Landlord Damage Relief Program](https://www.commerce.wa.gov/landlord-fund/landlord-damage-relief/) (<https://www.commerce.wa.gov/landlord-fund/landlord-damage-relief/>). Landlords may apply for reimbursement up to \$5,000 in damages, including unpaid rent. You may need to cooperate with the application process by signing documents.
- **Landlord Survivor Relief Program:** If you broke your lease early because of domestic violence, sexual assault, unlawful harassment or stalking, you can talk to the former landlord about applying for the [Washington State Department of Commerce: Landlord Survivor Relief Program](https://www.commerce.wa.gov/landlord-fund/landlord-survivor-relief/) (<https://www.commerce.wa.gov/landlord-fund/landlord-survivor-relief/>).

Landlords can apply for up to \$5,000 in damages, including unpaid rent.

**Explaining your debt:** You may bring a copy of your credit report to provide your potential landlord. If the landlord accepts the report, this may save you some money so that you do not need to pay for additional credit check fees. Explain why you have credit problems, such as falling behind because of a period of illness or circumstances outside your control, like domestic violence. If the debt was related to domestic violence, it may be helpful to explain what happened. Under RCW 59.18.580(2) (<https://app.leg.wa.gov/rcw/default.aspx?cite=59.18.580>), landlords cannot refuse to rent to you based on your history of domestic violence, sexual assault, or stalking. If your landlord refuses to rent to you after learning you are a survivor of domestic violence, sexual assault, or stalking, you may file a complaint with the Washington State Human Rights Commission ([https://wahum.my.site.com/FileaComplaintOnline/s/?language=en\\_US](https://wahum.my.site.com/FileaComplaintOnline/s/?language=en_US)).

**Offering other assurances:** The landlord may not want to rent to you because they think you are a higher-risk tenant (more likely to fall behind on payments). To address the landlord's concerns, you may propose paying a higher security deposit or getting a co-signor (someone who agrees to pay if you cannot).

**Improving your credit:** You may consider talking to a consumer credit counselor.

**Beware of scam credit repair companies!**

(<https://consumer.ftc.gov/articles/fixing-your-credit-faqs#repair>) Some people will hire a credit repair company to help them investigate mistakes on their credit reports, but often, you can do this for free. It is illegal for credit repair companies to lie about what they can do for you or charge you before they help you. Credit repair companies must also explain your legal rights in a written contract that details:

- the services they'll perform
- your 3-day right to cancel without any charge (and give you a written cancellation form)
- how long it will take to get results
- the total cost you'll pay
- and any results they guarantee.

### **3. Rental history**

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Landlords can check your rental history to see if they want to rent to you. Your application may be denied because of a former landlord's bad reference.

If you are concerned your former landlord may lie or misrepresent about your history as a tenant, you can bring references from other people, such as former landlords, employers, or other character references. You may want to explain why there may be conflict with your former landlord.

Potential landlords generally want to know if you ever received eviction notices, if you paid your rent on time, if you broke any rules, if you damaged the property, etc. If you know your former landlord is claiming damages but you left the rental unit in good condition, you may share move-out pictures or video.

Some potential landlords cannot reach your former landlord for a reference and may try to deny your application. Carefully review the tenant screening criteria. If this is not a requirement, the potential landlord cannot deny your application. You may also provide an explanation. For example, your former landlord changed management companies, and the new management does not have any records about tenancies before they took over.

## 4. Domestic violence, assault, harassment

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Tenant screening companies cannot disclose (share) that you or your household members are survivors of domestic violence, sexual assault, stalking, or harassment. Tenant screening companies cannot report that you ended your lease based on domestic violence. You can read about this at RCW 59.18.580(1) (<https://app.leg.wa.gov/rcw/default.aspx?cite=59.18.580>).

Former landlords may share your history of domestic violence, sexual assault, or stalking unless you lived in federally subsidized housing. Under the Violence Against Women Act (VAWA) (<https://www.hud.gov/vawa#close>), federally subsidized housing providers (landlords) must keep your information confidential. However, landlords cannot deny your application based on you or your household member's status as a survivor of domestic violence, sexual assault, or stalking. You can read about this law at RCW 59.18.580(2) (<https://app.leg.wa.gov/rcw/default.aspx?cite=59.18.580>).

If you think a tenant screening company improperly reported information about you, or a landlord improperly denied your application, you may file a complaint for

discrimination with the Washington State Human Rights Commission ([https://wahum.my.site.com/FileaComplaintOnline/s/?language=en\\_US](https://wahum.my.site.com/FileaComplaintOnline/s/?language=en_US)) and try to get legal help.

## 5. Eviction records

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Landlords may not want to rent to you if you have an eviction (unlawful detainer action) on your record. Regardless of the outcome in the lawsuit, evictions filed in court appear in tenant screening reports. Credit reporting agencies can report evictions for up to **7 years**.

### If you know you have an eviction record

Before you apply, ask for the written tenant screening criteria. If a previous eviction is a reason for denial, talk to the potential landlord to ask if they are willing to rent to tenants with past eviction records. Often, it is best to be upfront about a previous eviction with the potential landlord. Explain if there were circumstances outside your control, such as getting laid off from a job or health problems.

If the potential landlord says no, you may try elsewhere to avoid wasting money on application fees. Any money owed from the eviction lawsuit (judgment or debt) may also be a reason to deny. Consider searching for smaller landlords to rent from. Large property management companies may not have a choice to be flexible based on company policies. Smaller landlords may be willing to work with you.

To address the landlord's concerns about previous evictions, you may propose paying a higher security deposit or getting a co-signor (someone who agrees to pay if you cannot).

### You may not know you have an eviction record

You may have an eviction on your record because you never responded to the lawsuit and were defaulted (lost automatically). This can happen sometimes for a variety of reasons, such as if a roommate was served but never told you about the lawsuit or if you got court papers but moved out without responding in court.

Before applying, consider getting free credit reports (<https://www.annualcreditreport.com/index.action>) from Equifax, Experian, or

TransUnion to see if any evictions or eviction-related debt show up on your credit report.

If you were denied because of an eviction on your tenant screening report, ask for a copy of the report. You can get more information about the eviction and challenge (dispute) the reported eviction if there are mistakes. For example, if you never lived at that apartment or you know someone else has the same name as you, you can explain that to the landlord. Many tenant screening companies create reports based on a name search only and do not use other identifiers, such as your date of birth. There may be a mistake in the report.

### **Stop evictions from showing up on tenant screening reports**

If you get a court Order to Limit Dissemination, tenant screening companies cannot tell your landlord about the eviction. They cannot use it in calculating a rental score or making a recommendation about whether the landlord should rent to you.

You can use our form packet and instructions to get an Order to Limit Dissemination of an eviction court record.

## **6. Criminal records**

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Some landlords may not rent to tenants with criminal records regardless of the nature of the crime. The landlord may make assumptions about tenants with criminal records.

Before you apply, ask for the written tenant screening criteria. If criminal history is a listed reason for denial, consider talking to the potential landlord before applying. Find out more information about the criminal records policy. The potential landlord may deny applicants with certain types of criminal convictions but not all. An arrest or dismissed criminal charges are not convictions and cannot be a reason to deny your application.

If you have a criminal record, you may want to be upfront about it with the potential landlord. Ask if they will rent to you. You may explain the circumstances surrounding the conviction, including the amount of time that has passed since the activity occurred. You may consider providing additional character references, such as an employer or a friend, to show how you have changed.

If your criminal history is related to a disability, you can request a reasonable accommodation to change this rule or policy based on your situation. Past drug addiction is considered a disability under Fair Housing laws. You may give the potential landlord proof of drug rehabilitation and assurances that the problem will not happen again. This may be letters of support or certificates from drug rehabilitation programs, case managers, or other landlords.

Consider searching for smaller landlords to rent from. Large property management companies may not be as flexible because of company policies. Smaller landlords may be willing to work with you.

To address the landlord's concerns about previous evictions, you may propose paying a higher security deposit or getting a co-signor (someone who agrees to pay if you cannot). You can save money on application fees if the landlord will not work with you.

Some cities and counties have more protections and may limit the use of criminal background checks to deny tenants.

## **Vacating your criminal records**

The reported criminal records may make it hard to find new housing or jobs. Find out if you can get your criminal conviction vacated. Vacating a criminal record means removing criminal convictions from your criminal record. It does not make the conviction disappear from court records.

You may need to pay off any legal financial obligations (LFOs) to the court before you can vacate your criminal records. You may be able to reduce or cancel some LFOs.

If you have a juvenile record, it doesn't automatically disappear when you turn 18 but you may be able to seal or vacate juvenile court records.

You may also be able to:

- Vacate misdemeanor convictions
- Vacate certain drug possession convictions
- Vacate cannabis (marijuana) misdemeanor convictions
- Vacate non-violent Class B or C felony convictions or records
- Vacate convictions related to treaty Indian fishing rights

## 7. Employment and income

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Landlords generally want to verify you make enough money to afford rent. Some landlords may require proof that you have income 2-3 times the amount of rent. You can share whatever you are comfortable with as proof of income, including your employment, paystubs, bank account information. If you are not comfortable sharing your bank account information, you may give a copy of your bank statement that shows your name, account history, and balance, with the account numbers blacked out.

If you pay only a portion of the rent because you receive a subsidy, the landlord must calculate the required income based on your tenant portion, and not the full amount of rent. For example, if your monthly rent is \$1200, but you have a housing subsidy and your tenant portion of the rent is \$400, the landlord should use \$400 to calculate the required amount of income (\$800 per month if double the amount of income is required). You can read about this law at [RCW 59.18.255\(3\)](https://app.leg.wa.gov/rcw/default.aspx?cite=59.18.255) (<https://app.leg.wa.gov/rcw/default.aspx?cite=59.18.255>).

## 8. Source of income discrimination

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A landlord cannot deny your rental application or treat you differently from other tenants because your income comes from sources other than employment. This is called source of income discrimination and is illegal under Washington State law [RCW 59.18.255](https://app.leg.wa.gov/rcw/default.aspx?cite=59.18.255) (<https://app.leg.wa.gov/rcw/default.aspx?cite=59.18.255>). You can read more details about [source of income discrimination](#) and when to [get legal help](#).

## 9. Discrimination

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Landlords cannot deny your application for discriminatory reasons. The landlord cannot treat you differently based on a protected class, including race, gender, sexual orientation, disability, family status, or national origin. For example, your

potential landlord cannot only ask certain applicants to do criminal background checks based on their race. The rules must be applied equally to all tenants.

It may not be discriminatory if your landlord denies your application because you do not meet the tenant screening criteria, such as minimum income. So long as landlords do not collect information in a discriminatory manner, landlords may generally use any information they want to consider your application.

The Residential Landlord Tenant Act restricts how landlords use the screening information to make decisions on who to rent to. You can ask the potential landlord why they want the information and what they will do with it. As a best practice, see if you can get it in writing, such as an email.

If your application was denied for a discriminatory reason, try to get legal help.

You can also file a complaint with the Washington State Human Rights Commission

([https://wahum.my.site.com/FileaComplaintOnline/s/?language=en\\_US](https://wahum.my.site.com/FileaComplaintOnline/s/?language=en_US)).

If you live in Seattle, you can file a complaint with the City of Seattle's Office for Civil Rights (<https://www.seattle.gov/civilrights/complaints/file-complaint>).

If you live in King County, you can file a complaint with the King County Office of Civil Rights (<https://kingcounty.gov/en/legacy/elected/executive/equity-social-justice/civil-rights/civil-rights-complaint>).

## **10. Social Security Numbers, immigration status**

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Generally, landlords can ask for social security numbers on rental applications so long as they do this for all applicants. For example, it is illegal for landlords to only ask certain ethnic groups for a social security number, but not others. This is discrimination based on race and perceived national origin.

Some landlords may not rent to tenants who do not provide valid social security numbers. If you do not have a valid social security number, you may provide an IRS Individual Taxpayer Identification Number (ITIN) as an alternative.

You may be automatically issued a social security number with work authorization or other qualifying resident status. If your social security number has yet to be

issued by the Social Security Administration, you may explain and provide proof with a Work Visa, Alien Registration Card (green card), Temporary Resident Card, or Employment Authorization card.

However, some cities and counties offer stronger protections, where an SSN cannot be required to apply for rental homes.

Federally subsidized housing providers may limit who qualifies for subsidized housing based on certain types of immigration status. If you are a non-citizen, do not falsely claim or misrepresent U.S. citizenship to claim a benefit under federal or state law, including federally subsidized housing. This is fraud and is a ground of inadmissibility under INA § 212(a)(6)(C)(ii) (<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title8-section1182&num=0&edition=prelim>). You may become ineligible for any immigration applications or relief from deportation (removal). You can read about this under U.S. Citizenship and Immigration Services' Policy Manual (<https://www.uscis.gov/policy-manual/volume-8-part-k-chapter-2>).

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