

YOU HAVE THE RIGHT TO:

- Challenge a housing provider's decision to deny your application for housing or to evict you.
- Dispute whether your criminal record is accurate and receive information about how to correct inaccurate information on your record.
- Receive a copy of the record the housing provider has if they are denying or evicting you because of that record and their policy for obtaining and using CORI.
- Provide information to be considered *before* a housing provider rejects your application for housing, or evicts you, because of your record. This may include letters of support, documentation of enrollment and/or completion of treatment programs for issues related to your criminal convictions, such as alcohol or substance use disorder treatment programs, anger management classes, parenting classes, and more.

THE WORCESTER FAIR HOUSING PROJECT

We combat housing
discrimination by:

- Listening to your story
- Giving legal advice
- Providing legal advocacy
- Educating the community

CONTACT US:

COMMUNITY LEGAL AID
405 Main Street, 4th Floor
Worcester, MA 01608
508-752-3718
855-CLA-LEGAL
TTY: 508-755-3260
www.communitylegal.org

*OR CONTACT US THROUGH
CITY HALL:*
Human Rights and Accessibility
Office
City Hall Room 101, 455 Main Street
Worcester, MA 01608
508-799-8486

KNOW YOUR RIGHTS:

HOUSING AND YOUR CRIMINAL RECORD



FREQUENTLY ASKED QUESTIONS

What is CORI? CORI (Criminal Offender Record Information) is information about Massachusetts state criminal matters. It does not include out of state information or federal matters. CORI is one type of a criminal background check that comes with a variety of protections for individuals. There are also Consumer Reporting Agencies (CRAs) that often report on information that your CORI would not show.

How can I get a copy of my CORI? You can get a copy of your CORI either by mail or online. To use the online method you must have a Massachusetts ID or Driver's License and go to <https://icori.chs.state.ma.us>. To do it by mail, you must use a notarized form you can find at <http://www.mass.gov/eopss/docs/chsb/adult-personal-criminal-record-request-form.pdf>. It is free if you submit a "statement of indigency" that is also on the website (a statement that you are low-income).

Do all housing providers get a copy of my CORI? Housing providers must get your written consent to obtain a background check on you. Once a housing provider has your consent, they can get your CORI. They will *only have access to unsealed convictions and pending charges*. They will not have access to charges that were dismissed (or a dismissed CWOFF) or convictions that have been sealed.

Can housing providers ask me to get them a copy of my CORI? No. If this happens, you should call Community Legal Aid. You are also not responsible for giving them evidence about pending charges.

Should housing providers use any and all convictions to make the decision about my application? No. Housing providers should only consider convictions that happened within a reasonable time before your application, where there is an actual connection between the specific crime you were convicted of and a threat to the property and/or the safety of other tenants. (For example, a person should not be denied housing because of a conviction for driving with a suspended license.)

I applied for housing through my local housing authority and they denied me because of my criminal record. What are my rights? Housing authorities and Section 8 housing providers must inform you of your right to appeal a denial and must give you a copy of your criminal record as well as information about how they obtain and use CORI in the admissions process and how to correct anything on your record that may be a mistake.

Can I be permanently denied housing through a housing authority or Section 8? Housing authorities and Section 8 housing providers may only deny your application *permanently* for two types of convictions: 1) crimes that require you to register as a lifetime sex offender; and 2) manufacturing methamphetamine on federally-funded housing property.

I have an open (pending) criminal case. What will that mean for my housing application? Housing authorities and Section 8 housing providers can only use pending charges against you to deny you admission if they have evidence that you are most likely guilty of the charge. Also, arrests and/or charges on your record that do not result in a conviction are not enough alone for a federal housing provider to deny your application for housing. Evidence of actual criminal activity is required. Note: federal housing providers cannot ask about non-convictions or charges that have been sealed.

I am appealing the housing authority's decision to deny my application because of my criminal record. What information and documents should I bring with me? Consider bringing any information that shows your criminal record is not a reflection on your ability to be a good tenant and neighbor. This may include letters of support from case workers, an employer, probation officer, or a community member; and/or proof of enrollment in or completion of a treatment program. You can also bring any of these people with you to the appeal hearing, and you can bring an attorney to represent you if you can get one.

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