

Insights and Educational Information for Landlords



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Explore five informative articles covering rental applications, tenant screening, the eviction process, and Section 8 facts. Gain the knowledge you need to succeed as a landlord in New York.

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A Guide to New York Rental Applications

By [Alondra Segoviano](#) | Last updated May 8, 2023

If you're looking to [fill a vacant rental property](#) in New York, you'll want to use a rental application. A New York rental application asks questions about a tenant's personal, residential, and financial background to determine if they meet your screening criteria. However, some laws can impact tenant screening and fee amounts, so we provided an overview of New York rental applications.

What to Include in a New York Rental Application

Rental applications in New York should request the following information.

- The applicant's personal information: Request their first and last name, phone number, email address, residential address, proof of identification, and if they own pets or smoke.
- Proof of income: Examples of [proof of income](#) include pay stubs, W-2s, bank statements, 1099 forms, letters from employers, and workers' compensation letters.
- Employment history: Applicants can work full-time, part-time, or be self-employed so request information on their employment history.
- References: To learn more about applicants — especially those [unable to authorize screening reports](#) with a social security number or individual taxpayer identification number — you can request a personal, credit, or landlord reference.
- Tenant screening reports: In New York, landlords can request screening reports like a [credit report, background check, and eviction history](#), so long as the applicant has provided written consent.
- Co-signer or lease guarantor application: If an applicant must [get a co-signer or lease guarantor](#) to get their application approved, it's best practice to request an additional rental application. This can help ensure they meet your income requirements if the original applicant cannot afford rent.

How Long Does It Take to Process a Rental Application in New York?

The time it takes for a New York rental application to process will vary depending on the applicant. They can submit their application the same day or after a week. If you [request](#)

[applications through Avail](#), they will populate your dashboard in minutes once the applicant has authorized selected screening reports.

You can easily compare applications side-by-side, accept and deny applications directly in the platform, and move on to the next step, like creating a lawyer-reviewed lease agreement. To [get started](#), you'll need to set up your rental property and invite your tenants to Avail to request a rental application for free.

Are Tenant Screening Reports Allowed in New York?

Yes, tenant screening reports are allowed in New York if the applicant provided written consent beforehand. However, it is considered unlawful to use rental applications or screening reports in a way that can discriminate against characteristics of a protected class.

For that reason, it's important to ensure your screening criteria abided by [New York State Human Rights law](#) and [Fair Housing laws](#).

What Are New York Rental Application Fee Laws?

According to [New York landlord-tenant laws](#), landlords cannot charge more than \$20 for background and credit checks. You can create an Avail account to request individual reports or bundle them together to request rental applications. The fee for requesting selected reports will not exceed the local amount, making it easier to abide by local regulations.

Request Rental Applications With Avail

[New York rental applications](#) can simplify the process of finding your next tenant. You can use our online template, add custom questions with Unlimited Plus, and bundle screening reports. Once you've approved a prospective tenant's application, you can create a lease agreement, set up rent collection, and more in one platform.

How to Do a Background Check on a Tenant

By [Kaycee Jackson](#) | Last updated June 2, 2023

As a landlord, ensuring the quality and reliability of your tenants is crucial for the smooth operation and success of your rental business. That's why it's important to know how to do a [background check](#) on a prospective tenant to get a better understanding of their suitability as a tenant.

In this article, we share what a background check is, how to properly conduct a tenant background check, and answer some common questions related to the process.

What Is a Tenant Background Check?

A tenant background check is a screening report that shows specific details about a potential applicant such as their financial, criminal, and eviction history.

Most Wanted Criminal Records

Felony Criminal Offense	Charge Date
CRIMINAL MISCHIEF	2008/01/01
Offender Name	
Janet Wood	
Charge Disposition	
ALTERS OR POSSESSES ALTERED CREDIT OR DEBIT CARD WITH INTENT TO DEFRAUD RESISTING OR OBSTRUCTING A POLICE OFFICER BURGLARY	

State-Specific Criminal Records

State Criminal Offense	Charge Date
VA STATE SHERIFF OFFICE	2001/04/12
Offender Name	
Janet Wood	
Charge Disposition	
DRIVING WHILE UNDER THE INFLUENCE OF DRUGS OR ALCOHOL	

State Criminal Offense	Charge Date
IL STATE SHERIFF OFFICE	2003/10/18
Offender Name	
Janet Wood	
Charge Disposition	
SPEEDING IN EXCESS OF 30MPH	

Sex Offender Criminal Records

No Records Found

Office of Foreign Asset Control Records

State Criminal Offense	Charge Date
VA STATE SHERIFF OFFICE	2001/04/12
Offender Name	
Janet Wood	
Charge Disposition	
DRIVING WHILE UNDER THE INFLUENCE OF DRUGS OR ALCOHOL	



Tenant background checks typically include the following:

- Credit history: A [credit report](#) provides insights into an applicant's financial responsibility, including their payment history, outstanding debts, and any bankruptcies or foreclosures.
- Criminal history: A background check may reveal any criminal convictions or pending charges that could pose a risk to the safety and well-being of other tenants or the property itself.
- Eviction history: This component helps determine if the applicant has a track record of being evicted from previous rental properties.

You can use a [property management platform](#) to request these reports from applicants, which can help streamline the process since most platforms also request written authorization.

How to Run a Background Check

Here are the necessary steps for performing a tenant background check.

1. Collect a Tenant's Information

You'll need specific details from the tenant to run a background check, such as their name, date of birth, address, social security number, and contact information. To do this, you can [request a rental application](#) to collect this information from them online.

2. Obtain Written Consent

Most states have [tenant screening laws](#) in place that make it illegal to request screening reports from applicants without their knowledge or limit which reports you can request. For that reason, it's important to refer to local landlord-tenant laws before moving forward with the process.

The good thing is most screening platforms automatically require authorization before an application moves forward, removing the responsibility from you. You can also request individual reports (if not all types are allowed) or bundle them together for a one-time fee with Avail.

3. Review the Reports

After completing a background check, you can view the reports to [approve or deny their application](#). If you find an item on their report, it's best to talk to the applicant about it to give

them a fair chance. Certain states also have limitations on landlords' use of information on certain reports, so refer to local ordinances.

How Long Do Background Checks Take to Complete?

The length of time it takes to complete a background check depends on the service you use, and the responsiveness of the tenant.

With Avail, your prospective tenant will be asked to authorize their background check with step-by-step instructions. Once authorized, you'll have the reports ready to view from your landlord profile in a matter of minutes.

What If a Tenant Can't Authorize a Background Check?

In most states, a tenant needs a social security number or individual taxpayer identification number to authorize background checks. If your tenant doesn't have either (this is common with [international tenants](#)), you may need to consider alternative options like a credit reference, landlord reference, or a bank statement.

Are There Laws on Background Checks?

Background checks performed during the tenant screening process are subject to state and local [landlord-tenant laws](#). In most states, landlords must obtain written consent before performing a background check on a tenant.

States may have additional requirements, so be sure to review the laws and mandates in your state, and consult with a legal professional for additional assistance.

Screen Prospective Tenants With Avail

With a tenant screening service like Avail, you can find a qualified tenant for your rental with ease. Request a digital application, have your applicants authorize background checks online, and review all the information conveniently from your landlord dashboard.

[Create an account](#) or [log in](#) today to get started. And for more resources to help you find the best tenants for your rental, be sure to visit our [tenant screening toolkit](#) page at www.avail.co/resources/tenant-screening.



What Is Tenant Screening and How Much Does It Cost?

By [Marin Scott](#) | Last updated March 16, 2023

Tenant screening provides a landlord relevant information about a prospective renter's financial, criminal, and rental history.

There are many services that offer tenant screening, but for some landlords and renters, tenant screening reports may seem confusing or even unnecessary. That's why it's important to understand what a tenant screening report is, which reports a landlord should get, and how tenant screening reports can help give a landlord peace of mind when looking to fill their rentals.

What Is a Tenant Screening Report?

A tenant screening report examines the financial and rental pasts of prospective tenants after they have applied for a rental. This includes looking into their credit, eviction, and criminal history so that the landlord can be confident in the tenant's ability to pay rent and fulfill all tenant responsibilities.

The credit, eviction, and criminal history screening reports can only be conducted after receiving the tenant's consent in the form of a signature on their rental application and should be completed and reviewed before the landlord decides to offer the tenant a lease.

Which Tenant Screening Reports Should a Landlord Get?

The typical tenant screening reports that landlords require are credit, eviction, and criminal background reports. These reports are the backbone of tenant screening, as they provide you with an idea of the past tendencies and the future reliability of a prospective renter. Keep in mind that in some cities, it's illegal to screen a tenant based on their criminal background, so always be sure to consult your [local laws](#) before you ask a tenant to authorize any of these reports.

[Other questions that should be included in a rental application](#) include previous landlord and employer references, as well as proof of income.

How Much Does Tenant Screening Cost?

In general, tenant screening report fees can cost anywhere from \$25 to \$75, but costs vary depending on location due to state laws. The important thing to keep in mind is that the screening reports need to be properly accredited by respective organizations. For example, a reliable credit-checking service is one approved by the Fair Credit Reporting Act (FCRA). Some rental management platforms, such as Avail, offer bundling deals if a landlord is conducting all three reports (credit, eviction, and criminal) to save money on screening costs. For example, one background check may cost \$30 per applicant in a certain state, so a landlord can bundle all three reports for \$55 per applicant — a cost that either the landlord or tenant can cover. Bundling reports make the cost of rental applications placed on a tenant a bit more manageable, especially if they are applying to multiple rentals and are required to pay application fees for each property.

Should Landlords or Tenants Pay for Tenant Screening?

Either the landlord or the prospective tenant will be in charge of covering the cost of the tenant screening reports, though many landlords choose to place the cost on the applicant. These costs can be classified as a rental application fee or a “tenant screening fee” on a rental application.

If a landlord is in a situation where they are not able to charge an applicant a tenant screening fee, whether it be for legal reasons, because of an agreement with the applicant, or personal preference, Avail gives landlords the option to cover the cost of tenant screening reports themselves.

Is Tenant Screening Worth the Cost?

Though some landlords might skip the step of tenant screening due to the extra effort or the cost, the benefits often outweigh the price. Tenant screening gives you helpful information on the tenant you'll be renting to, like whether they'll be able to afford the rent or if they have a history of evictions.

How Can I Get a Free Tenant Screening Report?

Free tenant screening reports exist, but they come with their own risks. First, free tenant screening services won't supply as much information about a prospective tenant as those you pay for.



Second, if the screening reports aren't properly accredited, they could include false information or abuse the renter's personal information — all of which could lead to future liability costs for the responsible landlord. For example, the FCRA was created to protect the information and rights of a tenant being screened. If a landlord uses a screening service that violates FCRA regulations, they can be sued in state or federal courts.

That being said, some tenant screening services allow a landlord to choose who covers the cost of the screening reports. A landlord can [screen a tenant through Avail](#) for “free” by choosing to offset the cost of the screening fees to the applicant, which many landlords choose to do during the screening process.

Get a Comprehensive Tenant Screening Report With Avail

Overall, tenant screening reports help give landlords the confidence they need when approving a future tenant, so it's important to get the right screening reports from an accredited source. Avail runs the three main screening reports (credit, eviction, and criminal background) and also provides prior landlord reference checks, income verification, and an overview of a tenant's rental history so landlords can get the full picture of any prospective tenant.

Learn more about how [Avail tenant screening compares to other services](#) in terms of screening reports, services provided, and pricing at www.avail.co.



Steps in the Eviction Process: How Does Eviction Work?

By [Lilly Bolduc](#) | Last updated February 7, 2022

Going through an eviction isn't an ideal outcome for landlords or their tenants. Surprisingly though, the eviction process is more common than you think — [according to the U.S. Federal Reserve](#), roughly 3 million non-homeowners were evicted or forced to move due to the threat of eviction between 2016 and 2018.

While some evictions are unavoidable, there are best practices that landlords should follow to rent responsibly and prevent evictions altogether, including properly screening tenants and signing [lawyer-approved, state-compliant lease agreements](#). Here's what every landlord needs to know about the eviction process.

What Is an Eviction?

People often associate the word "eviction" with the physical act of the tenant being expelled from a rental property. In actuality, an eviction is a lengthy legal process. This process starts with an eviction notice, frequently in the form of a Pay or Quit Notice, and if necessary, culminates in an Unlawful Detainer, which is carried out by local law enforcement.

According to TransUnion, the average eviction-related cost to landlords is approximately \$3,500, and an eviction can take as long as three to four weeks to complete. When comparing this cost to the low price of tenant screening, the results speak for themselves — thorough tenant screening is a less expensive and time-saving alternative. Using [a lease agreement](#) that's already been reviewed by lawyers can also ensure both parties are aware of the processes set in place in the case of an eviction.

Before initiating the eviction process, it may be worth discussing options with tenants directly. Finding a solution before going to court may save significant time and money in the long run, and ultimately, most tenants don't want to be evicted, since a legal eviction will be reported against the tenant for seven years. When possible, it's in the best interest of both landlords and tenants to come to an agreement together.

What Are the Steps in the Legal Eviction Process?

To help you know how to break a lease as a landlord, we outlined four steps to take that can help make the eviction process go smoothly.

1. Pay or Quit Notice

A Pay or Quit notice is designed to provide tenants with a formal warning that they are in violation of the lease. This will provide the tenant with specific instructions to comply with their lease and advise the number of days allowed before an eviction is brought to court. As a landlord, it is best to provide a Pay or Quit Notice (sometimes called a Pay or Vacate Notice) by certified mail. This ensures that there is a legal record of the date that notice was provided. It is common practice to post the notice of eviction to the door of the property, but this should only be done in addition to sending the notice by certified mail.

When going through an eviction, it is of the utmost importance to act professionally and to comply with state and federal laws. Before providing an eviction notice, check the laws for your state to confirm the number of days required for notice and confirm there are legal grounds for eviction. If the legal grounds for eviction are met, you can move to the next step of creating a state-specific eviction notice.

2. Eviction Forms and Filing

After a Pay or Quit notice is served, the tenant has a specific number of days to comply with the lease or vacate the property. If the tenant fails to comply within the provided notice period, then an eviction may be filed against the tenant through the courts.

Filing a Forcible Detainer to remove the tenant requires the following forms:

- Eviction complaint: This form starts the eviction case.
- Summons: This informs the tenant about the eviction case.

These forms are to be filed with the court clerk and to be delivered to the tenant through the local sheriff's office. You can also check the resources provided by the local clerk's office to see if there are options for filing online.

As a tenant, if you are served with an eviction summons, be sure to follow the instructions for the summons and check the [tenant rights for your state](#). These are designed to help tenants follow the law and provide protection against any unlawful practices by the landlord.

When an eviction is filed through the court, a judge will review the documentation related to the case and issue a ruling. To help prepare for this step, it is best to have a copy of the signed

lease, a record of all payments, and a record of any relevant communication between the landlord and the tenant.

Although Avail cannot act as a legal counsel, the platform is designed to help keep landlords and tenants organized with all necessary documentation stored in one place. This includes:

- Applications saved with the legal name, date of birth, and identification of the tenant.
- Legally-binding state leases that have been reviewed by lawyers with time-stamped signatures.
- Online payments recorded with corresponding receipts and late rent notices.

Be sure to prepare for the eviction case by gathering all corresponding documentation for the judge or the jury. After all relevant parties have made their case, a judgment will be issued. This defines the requirements for any money owed, and if applicable, instructions for the expulsion of the tenant.

3. Judgment

The final step in the eviction process is the removal of the tenant and their belongings from the property. Even after an eviction has been awarded to the landlord, harassment or intimidation is absolutely unacceptable and illegal. If the tenant refuses to leave the property voluntarily, then a court order may be brought to local law enforcement to remove the tenant.

Individual states have different requirements for removing a tenant's personal belongings. Some states require items to be removed through the court process, while other states give landlords free-reign after the property has been vacated. Check your state requirements before removing a tenant's personal property.

4. Preparing For New Tenants

It's worth noting that not all evictions are finalized with the court ordering a Forcible Detainer of a tenant. Throughout the court proceedings, the tenant may agree to comply with an alternate order. Examples of these include an [Agreed Move-Out and Compliance, Dismissal with Leave to Reinstate, or a Pay-and-Stay Agreement](#). These options are generally better for both the landlord and the tenant, because they result in the landlord receiving payment and the tenant having the option to stay in the property.

It's important to note that some circumstances will add additional steps to the eviction process. Legal representation may be useful to understand the requirements of a particular case.

Some circumstances that may affect or lengthen the eviction process are the following:

- [Accepting partial or full rent payments](#) will negate the eviction process.

- If the tenant declares bankruptcy, the eviction process is put on hold until bankruptcy proceedings are finalized.
- Once the tenant has moved out, the landlord typically still has to prepare the property for turnover to the next tenants. Depending on any potential damage caused by the evicted tenant, this could take additional time, and sometimes lead to additional lawsuits.
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Evictions can be costly, and due to the variables that can affect the length and outcome of the eviction process, it's always best to avoid evictions in the first place.

How Much Does an Eviction Cost?

There are quite a few costs associated with evicting a tenant, including attorneys fees, court costs, lost rent, turnover costs, and property damages. As mentioned previously, the cost to break a lease is approximately \$3,500.

Even if a landlord wins a financial judgement against the tenant, many landlords are still unable to collect payment from those tenants. According to the American Collectors Association, the success rate for debt collection after an eviction is only 17%.

How Long Does an Eviction Take?

Along with the high cost of an eviction, the process can take weeks to complete. An eviction typically takes from three to four weeks to run its course, but is dependent on your state laws, the specific eviction case and other factors.

Access Free Lawyer-Reviewed Lease Agreements

The eviction process can be lengthy, expensive, and harmful to both landlords and tenants. Investing in tenant screening and creating lease agreements that have been reviewed by lawyers is the easiest way to be protected when evicting a tenant. [Create an account](#) today to make your own lease agreement that's state-specific, lawyer-approved, and legally binding — all for free at www.avail.co.

What Is the Housing Choice Voucher Program?

How It Works

By [Kaycee Jackson](#) | Last updated May 22, 2023

As a landlord, you may have heard about the Housing Choice Voucher (HCV) program, also known as [Section 8](#). Administered by the [US Department of Housing and Urban Development](#) (HUD), this program provides rental assistance to low-income families, the elderly, and disabled persons. While it's easy to understand the benefits for renters, there are advantages for landlords as well. This article explains how Section 8 works, its benefits for landlords, program requirements, and more.

What Are Housing Choice Vouchers?

The Housing Choice Voucher program lets eligible renters find a unit in the private rental market and covers a portion of the rent cost through a voucher. The amount of rent the voucher covers is based on the income and size of the renter's family and is paid directly to the landlord by local public housing authorities (PHAs).

Housing Choice Voucher Program Landlord Responsibilities

As a Housing Choice Voucher program landlord, you must provide decent, safe, and sanitary housing to your HCV renters. Your dwelling — whether a [single-family home](#), a townhouse, or an apartment — must pass the program's quality standards for as long as you receive housing assistance payments. You should also adhere to [local landlord-tenant laws](#), follow [Fair Housing laws](#), and provide any services agreed to in the lease agreement signed with the renter.

If you want to ensure your lease complies with local and federal mandates, you can use an [Avail lawyer-reviewed lease template](#) that's state-specific and customizable with Unlimited Plus. Our templates include all the disclosures and attachments required by local ordinances. You can collect online signatures for free and access the lease through your landlord account.

What Landlords Should Know About Housing Choice Vouchers

There are several [misconceptions surrounding Housing Choice Vouchers](#), but the program has several advantages for landlords. Here are some examples of the benefits that HCV landlords can experience.

- Rental income is timely and dependable: If you participate in the HCV program, you'll receive timely and dependable housing assistance payments each month paid directly to you through the local PHA. Additionally, the assistance may alleviate challenges that would cause late or incomplete payments from your renter.
- You'll receive your full rent amount: You can charge the same amount for rent as you would a non-HCV renter. If the amount exceeds HUD's [Fair Market Rent](#), the renter is responsible for the difference between the voucher and the full rent price.
- HCV renters tend to be long-term, stable renters: HCV renters tend to stay in units for [seven to eight years](#) — about three times longer than the average renters.
- You can request rent increases: At the end of the lease period, you may propose a rent increase. Simply submit a written notice to the PHA for verification.
- You'll receive regular inspections: Routine inspections let you stay on top of the condition of your property, and you'll be able to identify maintenance needs that may have otherwise gone unnoticed.

How to Get Started as an HCV Landlord

To become a Section 8 landlord, here are five steps that must be completed.

1. Contact Your Local PHA

Before renting to voucher holders, you must first contact your [local PHA](#). The PHA administers the Section 8 program locally, will provide you with the necessary resources for participation, and will distribute payments to you each month.

2. Market the Unit

The next step is to market your unit by [creating a rental listing](#). Before sharing to a rental listing site, ensure your listing indicates that you accept applications from Section 8 tenants. In addition to the sites and platforms your local PHA may recommend, you can use a [rental listing site](#) like Avail to post your listing across several popular rental sites.

Your listing should include the rent price that you plan to charge. As a Section 8 landlord, you can charge your full rent price as long as the PHA approves it. To get a sense of rent price trends in your area based on similar units, you can refer to [local rent comparables](#). Or, for a more detailed breakdown, an [Avail Rent Analysis report](#) compares 10 similar properties and even includes rental benchmarks for Section 8 units.

3. Select a Tenant and Request Approval

Once you're ready to accept HCV renters, approve an applicant based on your own [tenant screening criteria](#). It's important to use the same screening process for all prospective renters, regardless of HCV status, to avoid housing discrimination and legal repercussions.

After you've made your choice, you'll need to complete a Request for Tenancy Approval form. This document will ask for the property's details, such as the address, type of unit, and the proposed rent and security deposit amounts. The PHA will review the information to verify that the rent cost is reasonable compared to similar units in the market.

4. Pass the Housing Quality Standards Inspection

Next, you'll need to set up a time for an inspector to complete a housing quality standards (HQS) inspection. 13 HQS performance requirements must be met to pass the inspection and be considered an HCV residence. They are:

- Sanitary facilities
- Water supply
- Food preparation and refuse disposal
- Lead-based paint risk assessment
- Space and security
- Access
- Thermal environment
- Site and neighborhood
- Illumination and electricity
- Sanitary conditions
- Structure and materials
- Smoke detectors
- Interior air quality

Remember that your units with Section 8 renters must meet the minimum standards in these categories at the start of the tenancy and throughout the duration thereof.

5. Sign Lease and Housing Assistance Payments Contract

After you've passed the HQS inspection, you and your tenant can [sign the lease](#) and submit it to your local PHA. You'll receive a housing assistance payments (HAP) contract to sign, which will let you receive monthly timely and dependable payments from the PHA and the remainder of the rent payment from your renter.

Learn More About Landlording With Avail

With programs like HCV available for landlord participation, it's essential to understand how it works and how it can help your rental business. Once approved to become a Section 8 landlord, you can help provide affordable housing to those who need it.

Visit the [Avail Resources page](#) for helpful resources like landlord-tenant laws, rental documents, and educational articles at www.avail.co/resources.