



B R A V O

BUYERS AND RENTERS ARLINGTON VOICE

Voz de los Compradores e Inquilinos de Arlington

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What You Need to Know about the Rental Application Process

When looking to rent, it is advisable to:

- inspect available units, not just the model apartment,
- read the lease,
- ask about management company policies **before turning over any money, even application fees.**

Applications are used to gather information to determine if someone has the income, employment background, credit history, and appropriate family size to live in a rental residence. Landlords must treat all applicants the same to ensure compliance with fair housing laws. There are federal, state and county laws that prohibit discrimination based on race, sex, color, religion, national origin, marital status, sexual orientation, disability, age or familial status.

Landlords generally state what their policies are concerning income, occupancy, pets and parking. Make sure to ask about these if you do not see a policy about them in writing. Be honest and give complete information when filling out an application; false information can be grounds for eviction.

Be aware. In Virginia **until the lease is signed, any** money given by an applicant for a rental residence, **regardless** of what the payment is called, is an application fee. The amounts of application fees vary. Also, if the security deposit is taken at the time of the application, if the applicant decides later not to rent the apartment, only a portion or pro-rata share of the security deposit may be returned.

If an applicant is declined, the landlord **must** return the application fee minus the cost of the credit check, or report. However, if the applicant is approved and decides **not** to rent, the landlord may deduct the expense of advertising for a new tenant and a pro-rata amount of the lost rent. Pro-rata is defined as a proportion or amount based on a calculation or mathematical method. The remaining amount along with a list of deductions must be returned within 20 days; 10 days if the applicant paid the fee in cash. If you do not receive your fee or a list of costs within the timeframe, you should write to the landlord asking that the fee be returned.

If there is a lack of response, or no response from the landlord, you may sue the landlord in Arlington County Court for the amount owed plus reasonable attorney's fees. There is a relatively small filing fee to do so. Contact the Office of the Clerk of Courts in the Arlington County Court House to learn more about what steps to take.

The above information has been prepared by **BRAVO** – Buyer's and Renter's Arlington Voice, an advocacy and education resource for Arlington County renters in conjunction with Arlington County Department of Community Planning, Housing and Development. Should you have questions, please contact us at 703-685-5100 or check out our website at www.bravotenants.org.