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**AB-2559 Reusable tenant screening reports.** (2021-2022)

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Date Published: 09/14/2022 09:00 PM

**Assembly Bill No. 2559**

**CHAPTER 288**

An act to add Section 1950.1 to the Civil Code, relating to tenancy.

[ Approved by Governor September 13, 2022. Filed with Secretary of State September 13, 2022. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 2559, Ward. Reusable tenant screening reports.

Existing law authorizes a landlord, or the landlord's agent, who receives a request to rent a residential property from an applicant to charge that applicant an application screening fee to cover the costs of obtaining information about the applicant.

This bill would define the term "reusable tenant screening report" to mean a consumer report, as defined, that was prepared within the previous 30 days by a consumer reporting agency at the request and expense of an applicant, is made directly available to the landlord for use in the rental application process or is provided through a third-party website that regularly engages in the business of providing reusable tenant screening reports that are available to landlords and complies with all state and federal laws pertaining to use and disclosure of information contained in a consumer report by a consumer reporting agency, and is available to the landlord at no cost to access or use. The bill would require a reusable tenant screening report to include specified information, including the results of an eviction history check, as prescribed. The bill would prohibit a landlord from charging the applicant a fee for the landlord to access the report or an application screening fee.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 1950.1 is added to the Civil Code, to read:

**1950.1.** (a) A reusable tenant screening report shall include all of the following information regarding an applicant:

- (1) Name.
- (2) Contact information.
- (3) Verification of employment.
- (4) Last known address.
- (5) Results of an eviction history check in a manner and for a period of time consistent with applicable law related to the consideration of eviction history in housing.

(b) A reusable tenant screening report shall prominently state the date through which the information contained in the report is current.

(c) A landlord may elect to accept reusable tenant screening reports and may require an applicant to state that there has not been a material change to the information in the reusable tenant screening report.

(d) Notwithstanding Section 1950.6, if an applicant provides a reusable tenant screening report to a landlord that accepts reusable tenant screening reports, the landlord shall not charge the applicant either of the following:

(1) A fee for the landlord to access the report.

(2) An application screening fee.

(e) As used in this section:

(1) "Applicant" has the same meaning as defined in Section 1950.6.

(2) "Application screening fee" has the same meaning as defined in Section 1950.6.

(3) "Consumer report" has the same meaning as defined in Section 1681a of Title 15 of the United States Code.

(4) "Consumer reporting agency" means a person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties and that uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports.

(5) "Landlord" means an owner of residential rental property or the owner's agent.

(6) "Reusable tenant screening report" means a consumer report that meets all of the following criteria:

(A) Was prepared within the previous 30 days by a consumer reporting agency at the request and expense of an applicant.

(B) Is made directly available to a landlord for use in the rental application process or is provided through a third-party website that regularly engages in the business of providing a reusable tenant screening report and complies with all state and federal laws pertaining to use and disclosure of information contained in a consumer report by a consumer reporting agency.

(C) Is available to the landlord at no cost to access or use.

(f) This section does not affect any other applicable law related to the consideration of criminal history information in housing, including, but not limited to, Article 24 (commencing with Section 12264) of Subchapter 7 of Chapter 5 of Division 4.1 of Title 2 of the California Code of Regulations and local ordinances governing the information that landlords may review and consider when determining to whom they will rent.

(g) If an ordinance, resolution, regulation, administrative action, initiative, or other policy adopted by a city, county, or city and county conflicts with this section, the policy that provides greater protections to applicants shall apply.

(h) This section does not require a landlord to accept reusable tenant screening reports.