



March 16, 2026
The Honorable Rep. Carol McEntee
House Judiciary Committee
82 Smith Street
Providence, Rhode Island 02903

RE: FAIR CHANCE IN HOUSING CREDIT REPORTS ACT

Dear Chairperson and Committee Members:

On behalf of the Rhode Island Association of REALTORS® (RIAR), we respectfully submit this testimony in opposition to H7762. RIAR represents more than 5,900 licensed real estate professionals who work every day in the listing, sale, leasing, management, and appraisal of residential and commercial real estate and who are committed to stable housing markets, to make Rhode Island a better place to call home.

However, H7762 raises several operational and legal concerns for housing providers and property managers. It would significantly restrict commonly used screening practices while creating uncertainty and potential liability for housing providers.

Shortened Credit History Window Reduces Effective Screening

H7762 would prohibit landlords from considering credit history older than three years when evaluating a rental application. Credit reporting information is already limited to seven years, H7762 would significantly narrow an already time limited record.

Key concerns include:

- **Incomplete Financial Picture:** Credit histories already capture a seven-year window. Restricting review to just three years removes more than half of the available record and may obscure meaningful payment patterns
- **Increased Financial Risk for Property Owners:** Many landlords operate one-to-three-unit properties and rely on rent payments to cover mortgages, taxes and maintenance
- **Reduced Screening Flexibility:** Landlords often use multiple factors to evaluate applications and should retain reasonable discretion when assessing risk

Tenant screening tools help protect the landlord's financial stability and the viability of rentals.

Problematic Definition of "Conditional Offer"

H7762 defines a "conditional offer" as an offer to rent that is contingent on a later review of criminal records or other eligibility criteria. This definition raises significant practical concerns.

In typical rental practices:

- Screening occurs before any offer of tenancy is made
- Housing providers review credit history, income verification and other eligibility factors prior to approving an application
- A "conditional offer" structure is not commonly used in rental housing

By structuring the law around a “conditional offer,” H7762 may:

- Create confusion about when screening is permitted
- Implicitly require landlords to make an offer before completing standard screening steps
- Introduce legal risk if routine application review is interpreted as violating the statute

Clarification or removal of this definition is necessary to avoid unintended compliance issues.

Expands Liability and Enforcement Risk

H7762 establishes civil penalties for violations, including:

- Up to \$1,000 for a first violation
- \$5,000 for a second violation
- \$10,000 for subsequent violations

Penalties could apply where a housing provider makes a good faith effort to comply with unclear requirements.

Additional concerns include:

- Investigations through the Rhode Island Commission for Human Rights
- Enforcement actions by the Attorney General
- Increased litigation exposure for housing providers and property managers

Given the ambiguity surrounding definitions and procedures, these penalties create significant compliance risk.

Potential Impact on Housing Supply

Policies that substantially limit screening tools may unintentionally affect the availability of rental housing.

Possible outcomes include:

- Greater reluctance by small property owners to rent units
- Increased use of alternative screening methods that may be less transparent
- Reduced willingness to accept applicants with limited financial history

Policies that increase operational risk for housing providers may further constrain rental stock.

Conclusion

RIAR supports fair and transparent housing practices. However, H7762 introduces significant uncertainty regarding tenant screening, creates problematic definitions such as “conditional offer,” and exposes housing providers to substantial liability.

The Rhode Island Association of REALTORS® respectfully urges the Committee to oppose H7762.

Thank you for your time and consideration.

Respectfully submitted,



Trevor J. Chasse
Director, Government Affairs
Rhode Island Association of REALTORS®