U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-8000

ASSISTANT SECRETARY FOR HOUSING-
FEDERAL HOUSING COMMISSIONER

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MEMORANDUM FOR: Multifamily Hub Directors
Multifamily Program Center Directors
Owners and Management Agents
Contract Administrators

FROM: Charles H. Williams, Deputy Assistant Secretary for Multifamily Housing Programs, HT

SUBJECT: Criminal Offender Record Inquiries

This memorandum serves as a reminder that owners and management agents (O/As) must establish standards that prohibit admission to federally assisted housing if any member of the applicant's household is subject to a lifetime registration requirement under a State sex offender registration program.

The O/A must screen applicants by conducting and obtaining necessary criminal background checks in the State where the housing is located and in other States where the household member(s) are known to have resided.

The O/A may:

- Request the Public Housing Authority (PHA) in their jurisdiction that administers a Section 8 or public housing program under an Annual Contributions Contract with HUD to conduct the appropriate check and to make the screening determination;
- Use alternative sources, including private screening services; or
- Establish liaisons with local or state law enforcement agencies to run their criminal background checks through the National Law Enforcement Telecommunications System (NLETS).

When the O/A chooses to use a non-commercial source to conduct the criminal offender record inquiry, they must ensure that the source used has access to the necessary information needed to uncover whether a member of a household applying for admission is subject to a lifetime sex offender registration under a State sex offender registration program. Some States do not report information to commercial information sources.

For additional guidance on developing standards for admission and screening criteria, see Chapter 4 of HUD Handbook 4350.3 REV-1, Occupancy Requirements of Subsidized Multifamily Housing Programs.

If you have any questions, you may contact Gail Williamson, Director, Housing Assistance Policy Division, on 202-708-3000, extension 2473.