



### **Special Property Management Edition**

## **Do You Dare to Share? Credit Reports and Rental Docs**

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**Q1. As part of our tenant application review process, we do credit checks on contenders. The tenant is demanding a copy of the credit report saying it's his/her information and he/she owns it. Do they?**

**A1.** First, inform the tenant that they can obtain this information directly from the credit agency that provided the report to the property manager/landlord.

According to Experian, it's better the tenant gets the information directly from the credit agency because not only is it often free, but the report sent to the landlord/property manager is an abbreviated version. Additionally, check out these other helpful articles for guidance:

- (1) Article from Experian recommending landlords give tenants information on getting personal reports directly from credit bureaus: [Landlords Can Share Credit Reports with Tenants - Experian](#)
- (2) Article from the FTC regarding what landlords need to know about using consumer reports: [Using Consumer Reports: What Landlords Need to Know | Federal Trade Commission \(ftc.gov\)](#)

**Q2. My client/landlord is demanding I provide copies of the rental application to him/her. Can I do that or is this information confidential?**

**A2.** Let's break this answer down to extract best practices:

**First - Look at the Contract!** What does your lease agreement say, if anything? If it's addressed, defer to that. If it's not, see the second point made here which is....

**Second - Set Client Expectations from the Get Go!** What's the client's expectations? If the property management agreement doesn't address it, ask your client their expectations and memorialize that in the agreement. Include as part of this discussion how the agent actually protects the landlord by ensuring the application process adheres to Fair Housing standards.

**Third - Refer and Defer to Brokerage Policy!** Refer to your brokerage/broker's policies and defer to those.



***Fourth - What does the law say?*** NRS 645.252 and 645.254 creates confidentiality between the agent and the client - that would be the landlord. That duty of confidentiality needs to be counterbalanced with NRS 645.252(2) which requires care and skill to ALL parties, which would include the tenant. The rental application inherently contains personal information subject to NRS 603A: [NRS: CHAPTER 603A - SECURITY AND PRIVACY OF PERSONAL INFORMATION \(state.nv.us\)](#). Ask the client/landlord, what's the purpose of the request? Is it to file a lawsuit? OK - what information is necessary to do so (parties legal name, address, etc.) and consider providing just the necessary information.

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