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## DIGEST

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HB 374 Original

2021 Regular Session

Duplessis

**Abstract:** Provides for residential lessee screening including consumer credit reports and personal hardship statements subsequent to a declared emergency.

Proposed law (R.S. 9:3258.1) provides that a landlord may not require payment of an application fee unless the landlord has adopted written screening criteria and gives written notice to applicants of the following:

- (1) The applicant screening charge amount.
- (2) The landlord's screening criteria.
- (3) The landlord's process of screening the applicants, including whether the lessor uses a credit reporting agency, public or criminal records, or references.
- (4) The applicant's right to report a financial hardship resulting from a declared disaster or emergency to a credit reporting agency prior to applying.

Proposed law (R.S. 9:3258.1) applies to all landlords of property used as a primary residence except for owner-occupied buildings of no more than four units.

Present law (R.S. 9:3571.1) provides for credit reporting agency information and reports.

Proposed law (R.S. 9:3571.1(A)(4)) requires the credit reporting agency to notify the consumer of the right to request a personal statement detailing financial hardship from a declared emergency when a consumer requests a copy of a credit report.

Proposed law (R.S. 9:3571.1(B)(2)(a) and (b)) provides that if a credit reporting agency includes information from a court file, the report shall match the full name and date of birth of the individual in the court file, and requires the credit report to accurately report the outcome of eviction proceedings. Proposed law provides that the credit reporting agency is not liable if it reports complete and accurate information as provided by the court.

Proposed law (R.S. 9:3571.1(C)(2)) authorizes consumers to report in good faith that they have experienced financial hardship resulting from a declared disaster or emergency pursuant to R.S. 29:724, and if so reported, requires the credit reporting agency to include the statement with any credit report provided by the agency.

Present law (R.S. 9:3571.1(H)(2)) provides that a "credit report" means the communication of any credit information by a credit reporting agency bearing on a consumer's credit worthiness, credit standing, or credit capacity.

Proposed law (R.S. 9:3571.1(H)(2)) retains present law but expands the definition to include character, general reputation, personal characteristics, or mode of living.

(Amends R.S. 9:3571.1(B), (C), and (H)(2); Adds R.S. 9:3258.1 and 3571.1(A)(4))