



California Outdoor
HOSPITALITY ASSOCIATION

Denial of Tenancy

"Published for the benefit
of CalOHA Members"

Written in Partnership with:



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If you screen potential tenants (30+ day guests) and you choose to deny their application, there is no requirement to give a written denial notice. Additionally, there is no requirement to give a reason, unless it is based in part upon a credit report. Therefore, good practice suggests that you give a written denial to minimize future legal ramifications. And you must do so if you are denying the tenancy because of a credit report.

If you pull a credit report for use with approving an application and the application is denied, then consumer laws require that the denied applicant be told that the decision to deny the application was based in part on a credit report and give the name and contact information of the credit reporting agency to the denied applicant. Make sure that your application form has a consent paragraph whereby the applicant consents to the RV Park running a credit report, e.g., “The RV Park Management has permission to verify any and all information offered on this application and to do a complete credit check at a cost of \$_____ to the applicant.”

If the denied applicant should request a copy of the credit report, then consumer laws provide that he or she is entitled to the same and a copy should be provided by either the reporting agency or the park. John Pentecost of Hart Kienle Pentecost, Attorneys at Law, has created a template for CalOHA members to use when a written notice of denial is needed. See attachment:

Attachment A - Denial of Tenancy Notification

NAME OF RV PARK
ADDRESS OF PARK
TELEPHONE NO. OF PARK

This will confirm that _____ RV Park ("Park") has received and reviewed your Application dated _____ for becoming a tenant. This is to advise that the application for being a tenant has been:

APPROVED:

Approval is contingent upon the prospective tenant complying with all of the requirements of the Park Rules and Regulations and executes all of the required residency documents of the Park. The prospective tenant should contact Park Management immediately to obtain and sign the required documents noted above.

DISAPPROVED:

The adverse decision may be based in whole or in part upon information contained in a consumer credit report. The consumer reporting agency did not make the decision to take the adverse action and is unable to provide the consumer with specific reasons why the adverse action was taken. The prospective tenant may obtain a free copy of his and/or her credit report(s) from the agency identified below and from any consumer credit reporting agency that maintains such files on a nationwide basis within 60 days of the rejection. The prospective tenant may dispute the accuracy of completeness of any information on the credit report(s) by contacting the credit reporting agency listed below.

Name and Address of Agency

Telephone No. of the Agency

If you cannot obtain a copy of the report from the Agency, then the Park will provide you with a copy of the same.

If you have additional information that you would like the Park to consider with your application, then please submit the same to the park office.

Sincerely,
Name of RV Park



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