

HOW DOES RENTAL DEBT IMPACT MY CREDIT REPORT & TENANT SCREENING REPORT?

A judgment for recovery of COVID-19 rental debt is different than an eviction. Even if the court enters a judgment against you for unpaid rent in a small claims court, a small claims judgment alone cannot require you to move out of your home for failure to pay back the rent.

However, a small claims judgment can still impact your finances. The judgment may appear on your credit report and/or tenant screening reports for up to seven years. Read this guide to learn more about when it is legal for a rental debt judgment to appear on your “record” and how you can dispute any improperly reported judgments for rental debt.

Note – this is an interactive document. All [blue underlined text](#) is hyperlinked to additional resources, guides, and tutorials where you can learn more.

Does a small claims judgment appear on my “record”?

A small claims judgment for unpaid rent may impact different records/reporting mechanisms depending on which months the judgment covers. Protections for COVID-19 rental debt, unpaid rent and other obligations set forth in your lease agreement, apply to unpaid rent from March 1, 2020, through September 30, 2021 (See [CCP § 1179.02](#))(Left-hand column of chart below). The protections for COVID-19 rental debt do not apply to any rent from October 1, 2021, onwards (Right-hand column of chart below).

For COVID-19 Rental Debt: unpaid rent for months from March 1, 2020 – September 30, 2021	For Non-COVID-19 Rental Debt: unpaid rent after September 30, 2021
Impact credit score? NO	Impact credit score? NO
Appear on credit report? MAYBE Reporting of the debt is not automatic. You may be able to lodge a dispute if COVID-19 rental debt appears on your credit report.	Appear on credit report? YES Reporting of the debt is not automatic. However, your landlord or a third party, such as a debt collector, can report the debt so that it will appear on your credit report.
Appear on tenant screening report? NO Judgments for COVID-19 rental debt are required to be masked (See CCP § 1161.2.5). This means that the court judgment is not available to the general public. You can submit a dispute to remove the judgment from your tenant screening report (See below). Housing providers and tenant screening companies <u>CANNOT</u> consider COVID-19 rental debt as a negative factor in assessing an applicant (See CC § 1785.20.4)	Appear on tenant screening report? YES Judgment for unpaid rents starting October 1, 2021, are not afforded the same protections as for March 2020 – September 2021. A judgment for rent that came due starting October 1, 2021 is not sealed, meaning it is public and it can appear on your tenant screening report.

<p>Be sold or assigned to third parties? MAYBE COVID-19 rental debt cannot be sold or signed to third party debt collectors if:</p> <ul style="list-style-type: none"> • You were financially impacted by the COVID-19 pandemic; AND • Your household income is at or below 80% of the Area Median Income (AMI) <p>(Note: In other words, this is applicable if you would have qualified for the Emergency Rental Assistance Program, regardless of whether or not you submitted an application) (See CC § 1788.66)</p>	<p>Be sold or assigned to third parties? YES Unpaid rent starting October 1, 2021, does not have the protections as rent that came due between March 2020 and September 2021. Unpaid rental debt that came due from October 1, 2021, onwards may be sold or assigned to third party debt collectors.</p>
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How do I know if the small claims judgement or COVID-19 rental debt is reported?

Check your credit report and tenant screening report. It is especially important to check if you were recently denied a housing opportunity you applied for, and the tenant screening report was cited as a reason why you were denied.

Read CFPB, *What should I do if my rental application is denied due to a tenant screening report?* [here](#)

What is a credit report and how do I check it?

A credit report is a statement with information about your credit activity and current credit card situation such as loan payment history and credit accounts. There are three major credit reporting companies, known as the “Big Three” -- Experian, Equifax, and Transunion.

You can check your credit report with all three companies the [Annual Credit Report](#) tool - or you can check your credit report with each reporting agency individually:

- <https://www.experian.com/>
- <https://www.equifax.com/personal/>
- <https://www.transunion.com/>

Read the Consumer Finance Protection Bureau’s (CFPB’s) information page, *How do I get a copy of my credit reports?* [here](#)

*Note: checking your credit report will not impact your credit score. You are entitled to a free report every 12 months for each of the big three credit reporting companies.

What do I look for on my credit report?

Make sure your personal information (full name, address, and contact information) is correct. Review the report for errors including:

- Debts you did not incur; and
- Any debts that should not be reported and/or assigned

Read a list of common errors to look for from CFPB [here](#)

Use this CFPB Credit Report Review Checklist [here](#)

What is a tenant screening report and how do I check it?

A tenant screening report summarizes your rental history information, including information about any evictions or lawsuits.

- For more information, read CFPB, *How long can information, like eviction actions and lawsuits, stay on my tenant screening record?* <https://www.consumerfinance.gov/ask-cfpb/how-long-can-information-like-eviction-actions-and-lawsuits-stay-on-my-tenant-screening-record-en-2104/>

On your credit report from the Big 3 or via Annualcreditreport.com, look under the “Inquiries” for information from Credit Reporting Agencies (CRAs) other than the Big 3. This section includes credit reporting agencies that focus on types of consumer information such as tenant screening reports.

Some common credit reporting agencies that provide tenant screening reports are:

- CoreLogic Rental Property
- AmRent
- Experian Rent Bureau
- OnSite
- National Tenant Network
- RentGrow

How do I dispute an error on my credit report or tenant screening report?

If there are errors on your report, file a complaint to correct or dispute the issue with the credit reporting company that furnished the information directly.

Determine which credit reporting company is the source of the error and follow instructions to lodge a dispute by reading CFPB, *How to Dispute an Error in Your Credit Report* [here](#).

What happens after I send a dispute?

After you send a dispute the credit reporting company may investigate and issue a correction, or the credit reporting company may investigate and determine if the information in the report is accurate. If the credit reporting company does not issue a correction, then you can request a statement explaining the dispute be kept in your credit file.

For more information read:

- CFBP, *What does the credit reporting company do after I notify it of an error on my credit report?* [here](#)
- CFBP, *What if my dispute is ignored or I disagree with the result of a credit report dispute?* [here](#)

What if I am being contacted by debt collectors?

As discussed above, unpaid rental debt for the months of March 2020 – September 2021 cannot be sold or assigned to third parties such as debt collection or account resolution agencies (CCP 1788.66). If you are being contacted by a debt collector, follow steps as outlined by CFPB’s resources pages here:

If you are contacted by debt collectors regarding COVID-19 back rent for the months from March 2020 and September 2021, you can also contact LAFLA at (800) 399-4529 for assistance.

What if I paid the entire small claims judgment in full?

Once the judgment is paid in full (either you paid in one lump sum or made all installment payments), the Judgment Creditor should file an Acknowledgement of Satisfaction of Judgment with the court. This document notifies the court that you paid all the money owed.

Once you receive a court stamped copy, mail a copy of the Acknowledge of Satisfaction of Judgment to each of the “Big 3” credit-reporting agencies (Equifax, Experian, and Transunion) to show that the debt has been paid. This serves to notify the reporting agencies that the judgment is satisfied, and the debt is fully paid.

See, Los Angeles Small Claims Advisor/ DCBA Guide – Paying Your Judgment:

<https://dcba.lacounty.gov/portfolio/paying-your-judgment/>

Additional Resources

Consumer Finance Protection Bureau – Resources on credit reports and scores:

<https://www.consumerfinance.gov/consumer-tools/credit-reports-and-scores/>

Consumer Finance Protection Bureau – Resources on debt collection:

<https://www.consumerfinance.gov/consumer-tools/debt-collection/>

California Secretary of State – credit scores and credit reports information page:

<https://oag.ca.gov/consumers/general/credit-scores-credit-reports>