

Criminal Records Check

[On behalf of Dornish Law Offices, PC](#) | May 1, 2008 | [All, Landlord-Tenant](#)

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Last week, we were showing apartments and taking rental applications. A woman came to see the units, made a good impression, filled out the rental application, and paid the seventeen dollars we charge for a credit report. Looking over the application, her earnings, job history, rental history and other items looked good, and we thought she might be a good potential tenant.

We informed her, as we inform all of our applicants, that we would also be running a criminal records check on her before we even ran her credit, and that was the first indication of a problem. She told us she had a single, minor item on her record, which was not her fault.

I sat down at the computer, went to the clerk of courts' website, and entered her name, social security number, and clicked to search all counties in Pennsylvania for any pending or decided cases in which she was a defendant. In seconds, the reports came up, including aggravated assault, simple assault, reckless endangerment, two DUI convictions, possession of drug paraphernalia, and possession of illicit drugs, among assorted other charges and convictions.

We sent back her application fee, with a rejection letter listing the various convictions and charges, and indicating that she failed to meet our guidelines for approval of tenants.

In contrast to the above story, a client of mine failed to run a criminal check on a tenant he took in December. After the bank statements provided by the tenant showed over ten thousand dollars, but the tenant explained that the money was tied up for a few days, the landlord took and agreed to hold a check for several thousand dollars, and gave the tenant the keys.

After over a week of changing stories on large sums of money being moved around, the landlord had received no money, the tenant was completely moved in with an elderly mother in a wheelchair, had installed a stair glide and a therapeutic whirlpool bathtub in the house, and had claimed his mother fell down the two step front stairs, advising the landlord that the fall was due to the lack of a handrail.

An eviction action was started in December, and the landlord had good attorneys at the Magisterial District, Arbitration, and a Non-jury Trial, winning possession and money judgments at every level. Yet the tenant is

still in possession of the property as of the middle of May, and on the Friday before Mothers' Day, a lenient judge postponed the tenant's eviction until the end of the month, mentioning that he wouldn't kick an elderly, disabled mother out of her home on Mothers' Day.

The landlord is out thousands of dollars in rent, any damage to the property from the improvements made by the tenant, and the legal fees and court costs he has incurred in trying to get the tenant out.

When we ran a criminal check on the tenant, we found convictions for 51 counts of writing bad checks, theft by deception and related criminal charges and convictions. Surely, the landlord would not have turned over the keys to the worst tenant I have seen this decade if he knew then what was on the tenant's record. And the process of checking the criminal records is so easy and free, that you should not only run it on prospective tenants, but on prospective contractors, employees and buyers of your properties, too.

I go to the Allegheny County website, and log into the Criminal Records Division, then click Online Criminal Records search. You can search all counties from that link, or can go through the PA Unified Judicial System Portal at <http://ujportal.pacourts.us>. Then, under e-services, click public web docket sheets. You can pick Magisterial Dockets or Common Pleas Dockets, and can find everything from speeding tickets to criminal trials. You have to run Criminal, Statutory Appeal, and Magisterial records searches separately, and these searches do not include civil matters.

However, there is a lot of information available online. In preparing for this article I found my old speeding ticket, and even a Magisterial matter my twenty year old son forgot to tell me about!

Practice on your own name, friends and family, and when a tenant or employee comes along, you will know more information than you need to about their rap sheet! Since the records are public, you don't even need authorization to run these searches. And if they save you from just one bad tenant, they could be priceless.

Some companies charge five dollars or more for a statewide search, and this method can save you time and money. Other companies do a national search, which we can't do online for free. However, I find that if someone lives in Pennsylvania for a while, their criminal records are also in Pennsylvania. If you are searching someone from out of state, you may have to use a national service for a fee.

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