

PROTOCOL FOR ALLOCATION OF RENTAL PROPERTIES TO PROSPECTIVE TENANTS



This Protocol for the allocation of rental properties to prospective tenants is used within the framework of the Law on Good Landlordship and aims to provide transparency for all parties involved in how the allocation of a rental property is determined. This Protocol is aimed at preventing (housing)discrimination.

Definitions:

Rental agent: (An employee of) the rental agent who offers a property for rent on behalf of the client and is legally authorized to do so.

Client: The person or entity entitled to rent out the property, who has engaged the rental agent to act on their behalf in the rental process.

Prospective tenant: An individual/entity who expresses interest in a rental property offered by the rental agent on behalf of the client.

Purpose of mediation:

The client aims to rent out the respective rental property to the most suitable prospective tenant. This refers to a prospective tenant who is deemed as likely as possible to fulfil all obligations arising from a lease agreement correctly and promptly, and at the most appropriate timeframe. The differentiation between prospective tenants is based on objective justification. The differentiation between prospective tenants must serve a legitimate purpose, and the rental agent will act appropriately and proportionately in this regard.

Obtainable basic information from the prospective tenant:

- Name (first and last name)
- Current address and place of residence
- Phone number
- E-mail address
- Copy of ID document (Social Security number and the passport photo can be obscured)
- Composition of household: living alone, living together, with or without children
- Total monthly net income
- Income declaration from the tax authority
- Employment contract(s) and/or employer statement(s)
- Income proofs (pay slip and recent bank statements reflecting net income)

- Amount of current rent
- A landlord statement
- The information necessary to determine whether the prospective tenant(s) qualify for a housing permit (if obtaining one is required in the municipality where the property is located).

No information is required regarding:

- Ethnic or cultural background
- Religious identity
- Political preference
- Sexual orientation
- Gender identity and/or expression
- Physical or mental health

Criteria considered in the allocation process:

1. Responsiveness

As a basic principle, the first come, first serve rule applies. The initiative to respond to a offered property lies with the prospective tenants. In the case of numerous responses, it is possible that certain prospective tenants may not be invited for a viewing and may be rejected.

2. Source of income/type of employment contract

An indefinite employment contract with a well-established and reputable employer is preferred. This provides the client with the highest level of financial security. Temporary employment contracts, recent self-employment, and other sources of income such as alimony, an internship allowance, a guarantee by third parties, an inheritance, rental income, etc., can also lead to the allocation of a rental property, but this requires individual assessment.

3. Income level

After meeting any minimum income requirements, the highest (combined) income is preferred. This provides the client with the highest level of financial security in terms of fulfilling the financial obligations under the lease agreement.

4. Solid and verifiable positive rental history

A prospective tenant with a positive and verifiable landlord statement is preferred. Prospective tenants without a demonstrable rental history require individual assessment, as it may require additional information or investigation.

5. A positive screening of ID document and solvency

A prospective tenant can only be allocated a property on the condition that their identity can be verified and their financial capacity is satisfactory. To assess this, the rental agent conducts a thorough screening. A part of this screening is a manual check on authenticity features of the ID, conducted by the rental agent. This check can, for example, be performed with the DutchID-App provided by the Dutch government. The outcome of this screening may result in rejection (even after an initial allocation).

6. Household composition

It is important that each property has a suitable household composition. This is to prevent nuisance and damage, as well as to avoid overcrowding. Therefore, the allocation will take into account the household composition per property. Depending on the type of property, certain compositions may be preferred. This is assessed on a case-by-case basis.

7. Suitability for (the area of) the offered property

In some cases, the location or specific characteristics of the rental property may make certain prospective tenants more suitable than others.

8. Selection by the client

For each offered property, the client ultimately makes the decision between the prospective tenants. The rental agent has no influence on the final selection.

Finally:

The rental agent refrains from any form of (assistance in) discrimination regarding the allocation of rental properties to prospective tenants. The rental agent does not assume any responsibility or liability for the actions of their clients. Due to privacy regulations, the rental agent is not authorized to disclose basic information of prospective tenants to third parties.

*This Protocol is based on new legislation and was established by **Pararius B.V.** on December 15, 2023. The legislator has provided little guidance in its development, making this Protocol pioneering work. Any liability of Pararius B.V. for adverse consequences arising from the use of (the text of) the Protocol is excluded.*

Pararius provides this Protocol to rental agents who list properties on its platform, Pararius.nl. Rental agents can refer to this protocol from their own real estate websites. Pararius is in no way involved in the formation of the lease agreement. Pararius does not mediate, and the negotiations regarding the lease agreement take place outside the platform directly between the prospective tenant and the rental agent, with the rental agent acting on behalf of their client. Pararius does not receive compensation linked to the formation of the lease agreement.