

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PATRICIA MCINTYRE,	:	CIVIL ACTION
<i>Plaintiff,</i>	:	
v.	:	
	:	
REALPAGE, INC., d/b/a ON-SITE,	:	
<i>Defendant.</i>	:	No. 18-cv-03934

CONSENT INJUNCTIVE RELIEF ORDER

On October 26, 2022, Defendant RealPage, Inc. and RP On-Site LLC (collectively, “Defendant”) and Plaintiff Patricia McIntyre entered into a Settlement Agreement and Release. Dkt. No. 147-2.¹ The defined terms herein shall have the same meaning as in the Settlement Agreement and Release.

Pursuant to the Settlement and Release Agreement, Defendant, without admitting any of the allegations in the Complaint, consents to the entry of this Order:

1. Defendant will agree to not report records of Eviction Proceedings that, after fourteen months from the date of the case filing, do not contain any information about the disposition of the action. Defendant shall implement this injunctive relief within sixty (60) days of the Effective Date.

2. As an additional form of injunctive relief, Defendant shall generate monthly reports regarding the volume of disputes regarding Eviction Proceedings received from consumers. Defendant shall take commercially reasonable action to address any identified trends or systemic issues regarding the accuracy of the records of Eviction Proceedings that are internally identified because of that monitoring. Defendant shall also communicate its vendor(s) of records of Eviction

¹ The Settlement Agreement was originally filed at ECF 147-2. The parties submitted a corrected version of page 13 thereof on December 15, 2022. ECF 150.

Proceedings regarding the volume of those disputes that implicate the data of Eviction Proceedings provided to Defendant by the vendor(s). Defendant shall implement this additional form of injunctive relief within sixty (60) days of the Effective Date.

3. Defendant shall agree to maintain the injunctive relief set forth in Paragraphs 1 and 2 of this Order for a period beginning sixty (60) days after the Effective Date and continuing for two (2) years thereafter.

4. If during the agreed-upon periods of the injunctive relief Defendant believes that changes have occurred in federal, state or local law, or through other applicable regulations or administrative actions, that alter its obligations with respect to the requirements under 15 U.S.C. § 1681e(b) as they pertain to court records of Eviction Proceedings, Defendant may petition the Court to request modification of the procedure(s) discussed in Paragraphs 1 or 2 above in the manner it deems necessary to maintain compliance with the law. At the time of any such petition, Defendant must provide notice of the proposed modification of the procedure(s) to Class Counsel. Thereafter, Defendant must petition the Court for approval of the proposed change(s). Defendant shall continue to implement the injunctive relief during the period of time that it awaits a ruling from the Court.

5. In the event Class Counsel settles with another entity engaged in tenant screening on behalf of a substantially congruent class that includes business practice change injunctive relief that is different from the injunctive relief set forth in this settlement, Defendant may petition the Court to request modification of the procedure(s) discussed in Paragraphs 1 or 2 above. At the time of any such petition, Defendant must provide notice of the proposed modification of the procedure(s) to Class Counsel. Thereafter, Defendant must petition the Court for approval of the proposed change(s). Defendant shall continue to implement the injunctive relief during the period of time that it awaits a ruling from the Court.

6. If any Class Member has a claim or dispute regarding Defendant's compliance with the injunctive relief set forth in Paragraphs 1 or 2 of this Order, then the Class Member first must submit, *pro se* or through counsel, his or her dispute directly to Defendant before taking any other action. Upon receipt of such a dispute, Defendant will advise Class Counsel of the dispute. Defendant will investigate the dispute and respond to the Class Member within thirty (30) days, with a copy of its response to Class Counsel. Defendant's response must state the results of Defendant's investigation of the allegation of non-compliance with the injunctive relief and any action taken or to be taken to address the Class Member's dispute; or, if additional information is required for Defendant to complete their investigation, Defendant's response must identify the specific additional information that is required. Upon the submission of all the additional information required (as set forth in Defendant's response), Defendant will have twenty-one (21) days to complete its investigation of the Class Member's dispute regarding the allegation of noncompliance with the injunctive relief and to provide a response containing the results of its investigation and any action taken or to be taken to address the dispute. Notwithstanding this provision, if Defendant is unable to comply with this deadline, Defendant may move the Court for a reasonable extension of time sufficient to permit completion of the investigation upon submission of an application to the Court showing good cause for the extension. If, after the dispute resolution process described above has been completed, the Class Member may submit his or her dispute regarding the allegation of non-compliance with the injunctive relief to the Court under the caption for this action. The Class Member's submissions to the Court must include copies of all correspondence between the Class Member and Defendant regarding the dispute prior to the submission. The Court shall then have exclusive and sole jurisdiction to resolve the dispute.

IT IS SO ORDERED.

BY THE COURT:

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE