

# City of Raleigh

## Affordable Housing Portfolio Policies

### Application Requirements

- To apply online choose your desired property [here](#).
- The Affordable Housing portfolio is income restricted. Income cannot exceed the [income restrictions](#) adjusted by household size. If you are over income, please consider our Traditional Portfolio.
  - For applicants with rental assistance vouchers, the same income documentation provided to the voucher issuer (e.g., Housing Authority, Wake County) will be provided to Barker Realty.
  - Full-time unemployed students are not eligible unless the applicant has a rental assistance voucher and/or receives a fixed income through a program such as Social Security.
- Application fee is \$30 per applicant (non-refundable).
  - For applicants with rental assistance vouchers, no application fee will be charged (Barker Realty will bill the City of Raleigh for the fee).
- Application must be completed in full to be processed and reviewed.
- Application documents must be submitted within three (3) business days of notification of receipt of application (unless extenuating circumstances can be shown, or [reasonable accommodation](#) is required)
- Monthly gross income (before taxes) must be **2.5 times** the rent (e.g., if rent is \$500, monthly gross income should be at least \$1,250).
  - For applicants with rental assistance vouchers, the minimum income requirement will be waived.
- Barker Realty will request the following information as part of the application process:
  - Residence History
  - Employment Verification (for applicants with rental assistance vouchers, employment verification will be waived).
  - Criminal Background Check (for applicants with rental assistance vouchers, the criminal background screening will be waived).
  - Proof of Renter's Insurance (for applicants with rental assistance vouchers, the renter's insurance requirement will be waived).
  - Pet Screening (click [here](#) for more information)

## Criminal Background Policy

A search for criminal history will be conducted on all members of the household eighteen (18) years and older.

- If the criminal background report reveals negative information about a household member and Barker Realty proposes to deny admission due to the negative information, the subject of the record (and the applicant, if different) will be provided notice of the proposed adverse action and an opportunity to dispute the accuracy of the record. The notice will include the name, address, and telephone number of the agency that composed the criminal record report and inform the applicant of their right to dispute the accuracy of the criminal record report as well as their right to a free copy of the criminal record report. If the applicant does not contact Barker Realty to dispute the accuracy of the criminal record within eight (8) business days, Barker Realty will send a written notice of ineligibility to the applicant stating the specific reason for denial and advise the applicant of their appeal rights (and if disabled their right to request a reasonable accommodation, if applicable). Reasonable Accommodation in Housing information can be found [here](#). Barker Realty will hold the unit for the applicant at least thirty (30) days from the date the applicant initiates a dispute to allow sufficient time for the dispute to be investigated and resolved.

Per Fair Housing law, a property manager must consider individuals on a case-by-case basis to include evaluating the nature and severity of the crime and considering the length of time that has passed since that crime was committed. Determinations must be based on facts and evidence, and not a perceived threat. Therefore, Barker Realty **will not automatically deny admission** on the basis of any criminal background findings.

Barker Realty **may deny admission** if a member of an applicant household has been convicted of any of the following:

- Nonviolent felony offense if the criminal activity leading to conviction occurred within three (3) years of application.
- Violent felony offense if the criminal activity leading to conviction occurred within five (5) years of application.
- Felony offense involving the sale or manufacture of a controlled substance if the criminal activity leading to conviction occurred within three (3) years of application; for felony offenses involving the manufacture of methamphetamine on federally assisted properties, the look-back period will be ten (10) years.

Barker Realty **will not deny admission** if a member of an applicant household has been convicted of any of the following:

- Nonviolent misdemeanor offense.
- Nonviolent felony offense if the criminal activity leading to conviction occurred more than three (3) years before application.
- Violent misdemeanor.

- Violent felony offense if the criminal activity leading to conviction occurred more than five (5) years before application.
- Felony offense involving the sale or manufacture of a controlled substance if the conviction occurred more than three (3) years before application; for felony offenses involving the manufacture of methamphetamine on federally assisted properties, the look-back period will be ten (10) years.

**Please refer to the chart below for visual representation of the criminal background policy:**

<b>Type of Conviction</b>	<b>May Deny (Individualized Assessment Period)</b>	<b>Will Not Deny</b>
<b>Nonviolent Misdemeanor (Classes 1-3)</b>	N/A	>0 years
<b>Nonviolent Felony (Classes H-I)</b>	0-3 years	>3 years
<b>Violent Misdemeanor (Class A1 &amp; Sex Offenses)</b>	N/A	>0 years
<b>Violent Felony (Classes A-G &amp; Sex Offenses)</b>	0-5 years	>5 years
<b>Felony Involving Manufacture of Methamphetamine on a Federally Assisted Property</b>	0-10 years	>10 years
<b>Felony Involving Sale or Manufacture of a Controlled Substance (except as described above)</b>	0-3 years	>3 years

**Definitions:**

- A violent felony is a Class A, B, C, D, E, F, or G felony or any felony requiring registration on the sex offender registry. A nonviolent felony is a Class H or I felony.
- A violent misdemeanor is a Class A1 misdemeanor or a misdemeanor requiring registration on the sex offender registry. A nonviolent misdemeanor is a Class 1, 2, or 3 misdemeanor.

**More Details:**

Barker Realty will not consider an arrest or charge that was resolved without conviction. In addition, Barker Realty will not consider expunged or sealed convictions.

Where Barker Realty “may deny” admission to a household based on a criminal conviction, Barker Realty will conduct an individualized assessment of the criminal record and its impact on the household’s suitability for admission before making a determination. Barker Realty will present the facts and the individualized assessment to the City of Raleigh, along with their recommendation on approval or denial of the applicant. The City will make the final determination.

If a person has an arrest with pending charges, Barker Realty will consider this as part of an individualized assessment. If Barker Realty is not able to determine the specifics of the pending charges, Barker Realty may deny admission until the charges are resolved. If Barker Realty can identify the specifics of the pending charges, the application will not be denied if a resulting conviction would not change the decision to approve or deny the application.

Because a pending charge once adjudicated could be dismissed, reduced, or the accused found not guilty, Barker Realty will not deny the application on the basis of the pending charge if a resulting conviction of the initial charge would be grounds for denying the application. Upon closure of a pending case that has a disposition, the applicant must provide court documents to Barker Realty within thirty (30) days for review and determination of continued residency based on this tenant screening policy.

In the event that the court disposition does not meet the requirements of the policy, the resident will be provided with a ninety (90) day period in which to find other housing accommodations.

If the applicant has a disability and requests a reasonable accommodation, Barker Realty, in conjunction with the City of Raleigh, will determine whether the request is appropriate while criminal charges are pending. (Reasonable Accommodation in Housing information can be found [here](#).)

This individualized assessment will include consideration of the following factors:

- 1) the seriousness of the criminal offense;
- 2) the relationship between the criminal offense and the safety and security of residents, staff, or property;
- 3) the length of time since the offense, with particular weight being given to significant periods of good behavior;
- 4) the age of the household member at the time of the offense;
- 5) the number and nature of any other criminal convictions;
- 6) evidence of rehabilitation, such as employment, participation in a job training program, education, participation in a drug or alcohol treatment program, or recommendations from a parole or probation officer, employer, teacher, social worker, or community leader; and
- 7) tenancy supports or other risk mitigation services the applicant will be receiving or have access to during tenancy.

If the applicant's criminal conviction was related to their disability, Barker Realty, in conjunction with the City of Raleigh, will consider a reasonable accommodation.

## Reasonable Accommodations

- [Reasonable Accommodations in Housing \(from Disability Rights NC\)](#)
- [North Carolina Fair Housing Tenants with Disabilities](#)
- [HUD Guidance on Reasonable Accommodations \(2004\)](#)
- [HUD Guidance on Reasonable Modifications \(2008\)](#)
- [HUD Guidance on Assistance Animals in Housing \(2020\)](#)
- [FAQ on Housing Rights](#)

## Tenant Selection Preferences And Set-Asides

The following preferences apply to applicants. Applications will be reviewed and approved on a first come, first qualified basis, with these preferences factored in:

1. Residents already residing in units that are acquired by the City may remain in their unit if they meet eligibility criteria.
2. Residents referred from the City of Raleigh or its designated partner(s) (e.g., through the Unsheltered Homelessness Response Pilot, Wake Prevent, the Rental Assistance Housing Program, etc.).
3. Residents in need of emergency housing due to a federally declared disaster.

## Resident Transfer Policies And Preferences

The following preferences apply to resident transfers. Applications will be reviewed and approved on a first come, first qualified basis.

- Existing residents will be given priority over a new applicant for an available unit in the event of an emergency relocation.
- New applicants meeting the eligibility requirements and the preferences described in the section above will be prioritized for available units ahead of existing residents requesting a transfer for non-emergency reasons.

## Current Tenant Ineligibility Policy And Procedure

- If a current tenant residing in a City unit is found to be ineligible (i.e., upon income recertification, following disposition of pending criminal charge, etc.), Barker Realty will provide that tenant a ninety (90) day period in which to find other housing.

## Pet Policy

- Pets are not permitted.
- Applicants with a Service Animal or Emotional Support Animal may request a reasonable accommodation.
- Service Animals or Emotional Support Animals must be current on rabies vaccinations. Applicants with a Service Animal or Emotional Support Animal must submit documentation of current vaccinations through the Pet Screening portal (click [here](#) for more information)

## Lease Term

- Initial lease term will be for 1 year, and then will become month-to-month.