

# Source of Income Protections (SOIP)

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# City Council / County Commission Actions

City Council approved the Source of Income Protections (SOIP) in city-supported housing.

11 July 2022

County Commissioners approved a SOIP for County supported/funded housing, including enforcement guidelines.

20 Sep. 2022

22 Aug. 2022

City Council approved enforcement provisions for the SOIP.

# City and County SOIP Protections

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- A housing provider will be in violation of the SOIP if a prospective residential tenant in a City or County supported development is disqualified from renting a housing unit based on a refusal by the housing provider to consider a lawful source of income.
  
- Lawful sources of income include:
  - Wages from a lawful profession, occupation, or job
  - Any government or private assistance, grant, loan, or rental assistance program. Including vouchers directly or indirectly funded by the federal government or other rental subsidy programs.
  - Any legal documented gift, inheritance, pension, annuity, alimony, child support, or other consideration or benefit

# City and County SOIP Protections

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- The SOIPs are not intended to require terms that prevent a property owner/manager from determining, in a commercially reasonable and non-discriminatory manner, the ability of a housing applicant to afford to rent a property.
- A subject property owner/manager may turn an applicant down for bad credit history, certain criminal records, previous eviction(s), inability to pay a security deposit, the applicant's income is not sufficient to cover the rental amount, etc.

# City and County SOIP Protections

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- In addition to filing a SOIP complaint, the applicant may also file a fair housing complaint if they have reason to believe that the City or County fair housing ordinances have been violated by the property owner/manager.
- Local fair housing complaints may be filed with the Community Relations Committee.

# SOIP Guiding Principles

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1. Source of income protections and enforcement provisions shall be applicable to all for-rent housing in City and County supported developments.
  - ✓ Affordable and/or market-rate housing
  - ✓ Master developer and/or third-party developers [if applicable]
  - ✓ Compliance term equal to the greater of the incentive period or affordability period [as applicable, based on the applicable City of County support agreement]
2. Compliance requirements and related enforcement provisions are applicable to the housing owner/provider[s] responsible for making rental eligibility decisions (related to the rental subsidy holders).
3. Funding includes financial incentives including conveyance of real estate for the production of affordable housing and receiving County infrastructure reimbursement incentives, such as Tax Increment Grants or capital-funded partnerships for infrastructure improvements.

# SOIP Enforcement

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- Residents who believe they have been denied access to housing based on a violation of the policy may initiate a complaint by calling 311 or the Community Relations Committee.
- SOIP investigations will be conducted by the Community Relations Committee.
- Violators of the SOIP may be fined. Fine amounts imposed will be influenced by factors such as the nature and circumstances of the violation, degree of culpability, and history of prior violations.



# SOIP Enforcement Approach

	City / County	Enforcement
<b>First violation</b>	<ol style="list-style-type: none"> <li>Written warning and mandatory compliance training</li> </ol>	<ol style="list-style-type: none"> <li>Mandatory compliance training, and housing provider/owner shall be provided 30 days [from the date of the confirmed violation] to cure the violation without penalty</li> <li>If violation not cured within 30 days of the confirmed violation, housing provider/owner shall pay the applicant denied housing \$100/day until the violation is cured, or 180 days, whichever occurs first</li> <li>If violation not cured by the end of the 180 days referenced in #2 above, housing provider/owner shall be subject to a maximum contractual remedy [payable to City of Charlotte or Mecklenburg County] up to \$23,000<sup>1</sup></li> </ol>
<b>Two violations within five years</b>	<ol style="list-style-type: none"> <li>Mandatory compliance training</li> <li>Daily fee of \$500 until the violation is cured</li> </ol>	<ol style="list-style-type: none"> <li>Housing provider/owner shall be provided 30 days [from the date of the confirmed violation] to cure the violation without penalty</li> <li>If violation not cured within 30 days of the confirmed violation, housing provider/owner shall pay the applicant denied housing \$100/day until the violation is cured, or 180 days, whichever occurs first</li> <li>If violation not cured by the end of the 180 days referenced in #2 above, housing provider/owner shall be subject to a maximum contractual remedy [payable to City of Charlotte or Mecklenburg County] up to \$57,500<sup>1</sup></li> </ol>
<b>Three or more violations within seven years</b>	<ol style="list-style-type: none"> <li>Written notification of default which will provide a time period to cure the violation</li> <li>If not cured, developer must refund any funds provided by the City/County through the applicable project, and the developer may be precluded from future contracts with the City/County</li> </ol>	<ol style="list-style-type: none"> <li>Housing provider/owner shall be provided 30 days [from the date of the confirmed violation] to cure the violation without penalty</li> <li>If violation not cured within 30 days, housing provider/owner shall pay the applicant denied housing \$100/day until the violation is cured, or 180 days, whichever occurs first</li> <li>If violation not cured by the end of the 180 days referenced in #2 above, housing provider/owner shall be subject to a maximum contractual remedy [payable to City of Charlotte or Mecklenburg County] up to \$115,000<sup>1</sup>, and the housing provider/owner may be precluded from future contracts with the City or County</li> </ol>

<sup>1</sup>Maximum remedy amounts mirror the maximum civil penalties associated with HUD Fair Housing Act violations [note: amounts subject to annual inflation adjustments]



CHARLOTTE-MECKLENBURG  
**COMMUNITY RELATIONS**

# Community Relations Committee



EMPOWER

COLLABORATE

ENGAGE

# The Community Relations Committee

*VISION: Be recognized as a global model in building community harmony by advocating for diversity, equity and access for all.*

*MISSION: CRC empowers, collaborates, engages and promotes opportunities to create positive outcomes.*

CRC is a 45-member team of professionals and volunteers who serve as civil rights and human relations advocates. This committee also provides counsel to Community Relations staff.

For over 60 years, CRC has represented an inclusive community, successfully built relationships and promoted harmony.

CRC works to ensure fairness for all and remove barriers that impede the community from living in harmony.



# Powers of the CRC

- Maintain an office in the county
- Appoint an executive director and other necessary employees
- Cooperate/contract with individuals and state, local and other agencies, including federal government and other states
- Accept public grants or private gifts, bequests, or other payments
- Study problems in the area of human and community relations
- Promote the quality of opportunity for all citizens
- Promote understanding, respect, and goodwill among all citizens
- Provide channels of communication among various racial, religious and ethnic groups in the county
- Render at least annually a written report to the Mayor and City Council and to the Chairman of the Board of County Commissioners.
- Recommendations to eliminate or reduce discrimination with respect to race, color, religion, sex or national origin



# CRC Core Areas of Work - Staff

Administration

ADA Program

Community  
Affairs

Dispute  
Settlement  
Program

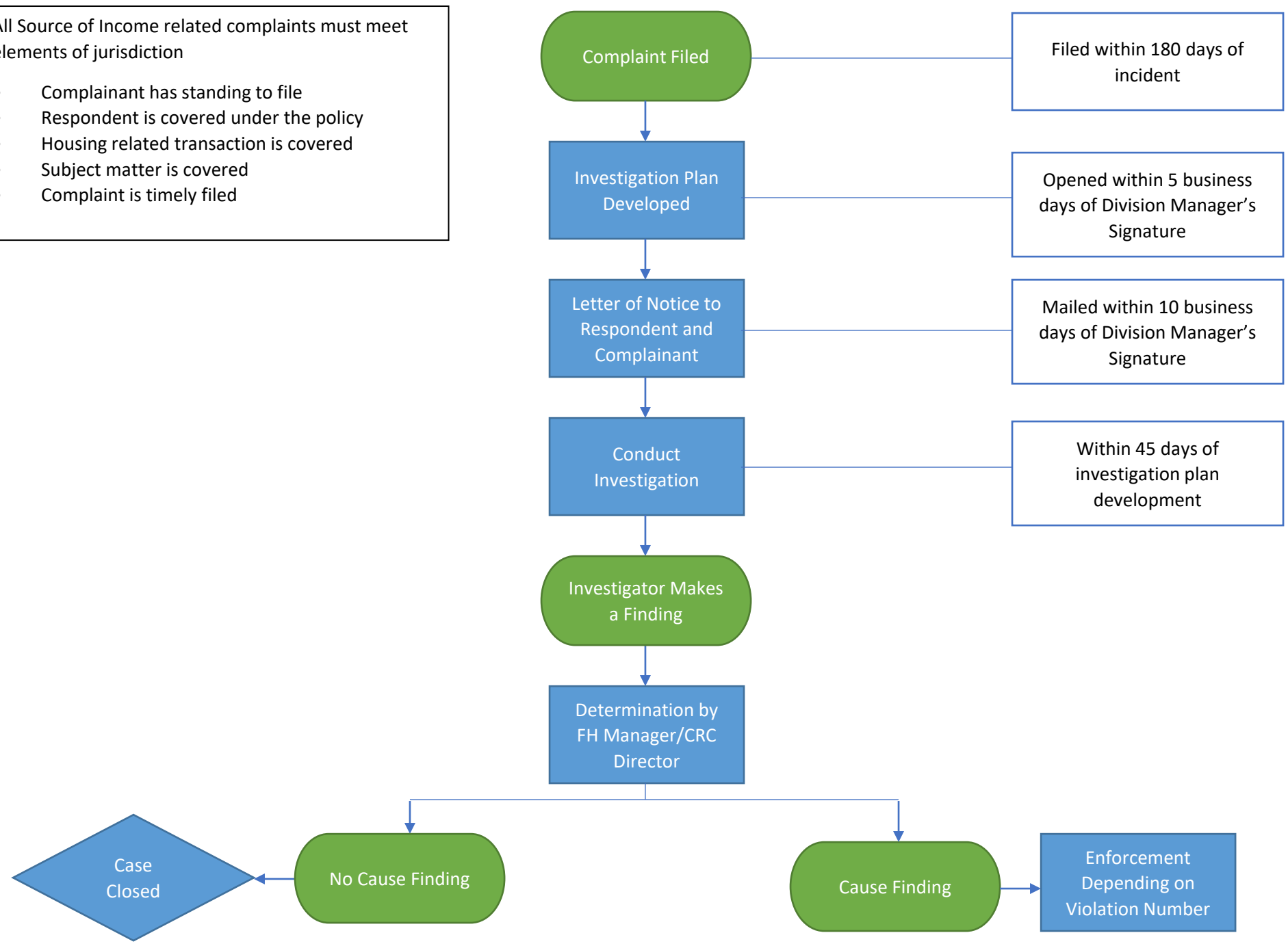
Fair Housing /  
PA





# SOIP Investigation Process

- All Source of Income related complaints must meet elements of jurisdiction
- Complainant has standing to file
  - Respondent is covered under the policy
  - Housing related transaction is covered
  - Subject matter is covered
  - Complaint is timely filed





If you have any questions or comments,  
please reach out to us!

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