



Sample Resident Council Procedures



Protecting Resident Council Members Information and Privacy

At times resident councils need to collect personal information from members, particularly contact information in order to stay in touch with members. Resident councils have a responsibility to safeguard members' personally identifiable information whether that information is stored on paper or electronically.

Tips related to the collection of personally identifying information:

- **Only collect information about individuals that is relevant and necessary. For example:**
 - » If the resident council wants to acknowledge members' birthdays, consider only collecting their month of birth and not their full birthdate.
 - » If demographic information (age, race, employment) is being collected for a survey, consider making the survey anonymous.
- **Ensure that records (electronic and paper) are stored with safeguards, including:**
 - » Only share and discuss personal information with those who need to know it.
 - » Do not distribute personal information, including contact information, to anyone without that person's prior agreement. Only consider requests if you are first convinced that the release of contact information is authorized, proper and necessary.
 - » Clearly label all files containing sensitive information (example "for Board use only).
 - » Lock up all paper files and media (thumb drive or other electronic storage) containing personal information in a file cabinet or case.
 - » Password protect computers, or specific electronic files, and ensure only people who need the information have the password.
 - » Keep accurate records of where personal information is used and maintained.
 - » Restrict access to offices where information is stored by only providing keys to those who need them to carry-out their roles.
 - » Destroy records once they are no longer needed.

Generally, the personal information that resident councils will have is limited to contact information that the resident willingly provides. If the resident council is carrying out a program or activity that requires more personal (birthdate, place of birth) or sensitive information (driver's license number, medical records, etc) the resident council should consult the housing authority regarding applicable rules and seek training.

Providing Notice to Members

When collecting personally identifying information, the resident council should let members know what information is needed, why it is needed, and that sharing information is optional.

Example statement:

At times resident councils need to collect personal information from members, particularly contact information in order to stay in touch. The resident council board takes seriously the responsibility of safeguarding your personally identifiable information both on paper and electronically. Your information will never be shared with outside parties without your permission. Providing your personal information, is optional. However, there are times when sharing personal information will be necessary in order to participate in resident council activities such as running for the Board or voting in an election.

For more information: Consult your housing authority and/or an attorney (such as someone from Legal Aid).

RESIDENT COUNCIL MEETING AND ELECTION PROCEDURES

These sample procedures are based on the [sample bylaws](#) and provide more detail for procedures that resident councils use regularly. The specific procedures can be adapted for your resident council. Having set procedures will help you run meetings, elect your board of Board of Directors, and generally manage the resident council.

If you have adapted or amended the bylaws, or if the Board or Membership of your resident council has made a decision that is different from what is suggested here, you should modify these procedures to match your bylaws and decisions. **Once updated these can be saved, printed, and shared with your members.** The [Sample Forms for Resident Council Meetings](#) and [Sample Forms for Resident Council Elections](#) are provided to help your resident council carry out these procedures.

The procedures comply with HUD regulations for a duly-elected resident council, including HUD requirements for Board election and recall procedures in [24 CFR Part 964.130, Election Procedures and Standards](#). In most places, your resident council can decide on the procedures that will work for you. Usually the procedures will be adopted by the board of directors, so they can be easily updated as your needs, abilities, and resources change.

As you adapt the procedures, here are some points, including relevant HUD regulations, to consider for key sections:

Decision-Making: The procedures suggest using Robert's Rules of Order as a basis for the decision-making process. However, the Resident Council may choose another process if that is preferable for members. **Guide 3: Holding Effective Resident Council Meetings** explains consensus decision-making as another option. Whichever model the resident council chooses, the most important thing is that residents understand and can engage in the process.

Election Process: The HUD requirements which must be followed in order to be recognized as a duly-elected resident council are listed at the beginning of the section. The process and timeline that is suggested is optional: it meets the HUD requirements and offers best practices. Your resident council may update the timeline to best fit your needs or choose another process.

Some resident councils will choose to have a shorter process whereby residents are nominated and elected at the same meeting, while others will choose to have an additional meeting where nominated members may speak.



Customizable Documents

- [Guide to Creating Public Housing Resident Council Bylaws](#)
- [Sample Resident Council Bylaws](#)
- [Sample Resident Council and Housing Authority Memorandum of Understanding](#)
- [Sample Forms for Resident Council Meetings](#)
- [Sample Forms for Resident Council Elections](#)

Board Terms: The sample bylaws do not contain term limits.

- HUD regulations simply require elections at least once every 3 years (24 CFR 964.130).
- Terms, whether they are staggered, and any limits on the number of terms can all be determined by the resident council. These rules must be included in the bylaws (24 CFR 964.130).
- Some resident councils choose to limit terms in order to encourage new leadership. Other resident councils value having members in leadership positions for continuity (if the member is willing and continues to be elected).
- The sample bylaws recommend 2 year, staggered, terms. In order to make the terms staggered, some board members will have an initial term of 1 year.
 - » Two year terms give people an opportunity to get accustomed to their role and show results as a Board member. Annual elections help keep members engaged.

Recall Elections:

HUD regulations require that:

- The resident council has written procedures for the recall of a board member (or members) by the membership (24 CFR 964.125).
- That the procedures allow for a petition (or other expression) by members and sets a minimum number of members (a “threshold”) who must be in agreement in calling for a recall election. This threshold must be at 10 percent of the voting membership (24 CFR 964.125).
- A third party must oversee the recall voting process (24 CFR 964.130).
- The housing authority will pay expenses for recall elections from tenant participation funds (24 CFR 964.130).

The resident council may decide on a recall process that meets these requirements. The process included in the sample procedures is one option.

Filling Board Vacancies

HUD regulations do not specify how the Board will fill vacancies that happen outside of the normal election process. Regulations for Board members do require that:

- Any appointed or elected Board member meet all standard election requirements, including being lease-compliant (24 CFR 964.125).



Federal rules for public housing:

You can find public housing regulations in the Code of Federal Regulations (CFR).

Most rules related to tenant organizing and participation are in Title 24, Housing and Urban Development, Part 964, Tenant Participation and Tenant Opportunities in Public Housing.

*When you see a reference to 24 CFR 964 that is a reference to the CFR. For example, **24 CFR 964.130** links to the Election procedures and Standards subsection.*

*To read the regulations in detail, go to: **<https://www.govinfo.gov/content/pkg/CFR-2016-title24-vol4/pdf/CFR-2016-title24-vol4-sec964-130.pdf>***

In order to maintain compliance with Bylaws:

- Board positions may remain open only if the Board will have enough members to meet any quorum requirements.

These procedures give the option of finding potential candidates at the recall election, who will be voted on by the Board, or allowing the position to remain vacant. The policy proposed here creates a more streamlined process than the normal election process so that the Board can be fully functional as soon as possible.

If the resident council does not hold annual elections, the Board and resident council should consider a process that allows the membership to elect new Board members, particularly if there is more than a year left in the term.

- For example, the procedures could say, *“If the vacated position has more than 12 months left in the term a new, full election should be held following the normal election procedures.”*



The [Sample Forms for Resident Council Meetings](#) and the [Sample Forms for Resident Council Elections](#), which can be modified or adapted for the resident council’s use, will help the resident council effectively carry out the bylaws and procedures. For more information on organizing and running an effective resident council see the [guides](#) provided in the full toolkit.

Note: PHA stands for Public Housing Authority and refers to your local housing authority.



This document is part of the **Public Housing Resident Organizing and Participation Toolkit**. The full toolkit includes topical guides, customizable resident council documents and forms, tools related to tenant participation funds, and case studies of resident organizations around the country. To see the full toolkit go to: <https://www.hudexchange.info/programs/public-housing/resident-toolkit/>

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Resident Council Procedures

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Resident Council Procedures

These Procedures were adopted by the Board of the _____ Resident Council so that the organization may effectively run meetings and have fair and democratic elections. If the organizational bylaws are updated these procedures must be updated. These procedures may be updated by a relevant committee and the changes adopted by the Board. These Procedures will be shared with the Resident Council and available to all Members.



The Sample Forms for Resident Council Meetings include forms and notices related to these procedures.



Procedures for Membership Meetings

Meeting Procedure

These are the meeting procedures for the _____ (name of Resident Council).

Notice

Residents will be provided sufficient notice for all meetings as the bylaws require.

The resident council will maintain a regular meeting schedule which will remain posted _____

(location where the regular meeting schedule will be posted). In addition to the standing notice, for regular meetings, the Board will provide written notice at least _____ calendar days in advance of the meeting (7 suggested, modify if your bylaws are different). At a minimum, notices will be posted in prominent areas of the building.

In order to maximize participation the Board will also provide notice and reminders of meetings by:

email, text, Facebook, door-to-door, and _____ (select all that apply and use the blank to include other avenues of communication).

The basic agenda for the meeting will be included in the notice. Members are able to request items be added to the agenda by making a written request to the president or secretary of the board at least _____ days in advance of the meeting (at least 3 suggested). As described below, members may also request to add an agenda item at the meeting.

As needed, notice will also include the process for requesting interpretation and translation for meetings.

Attendance / Quorum

The Secretary, or another Resident Council member appointed by the Secretary, will ensure that all members have signed in for the meeting. Recording attendance is important for showing decisions were properly made.

The Secretary will then determine the number of members present and the number of votes needed for a proposal to pass. Except as otherwise required by the bylaws, all business at any regular, special, or emergency General Membership meeting shall be by a simple majority vote of those members present.

Note: Your bylaws may have a quorum requirement for some or all votes, make sure to check the bylaws if there is any doubt.

Order of Business for Meetings

Note: This document refers to the meeting “Chair,” the Chair is the person who runs or facilitates the meeting. This is usually the resident council president but could also be someone that the president designates.

In creating the agenda, the Board should set time limits for each of the items and make sure that the meeting can be completed in under 90 minutes.

- 1. Opening:** The President, or a Chair designated by the President, will call the meeting to order, stating,

💬 *“The meeting will come to order.”*

- » The Chair may also choose to include an opening ritual (a moment of silence, sharing of good news—such as a new baby or someone getting a new job)
- » Introductions: The Chair may choose to have the Board and residents present introduce themselves and share something about themselves.
- » An ice-breaker activity or question may be included

- 2. Minutes of the previous meeting:** The Secretary will read or summarize the minutes from the last meeting (if all attendees have a copy, the minutes can be summarized rather than read entirely). Following the reading, the Chair will ask if there are any corrections or additions to the minutes.

💬 If not, the Chair will say, *“The minutes will stand approved as read.”*

💬 If there are corrections, say: *“The secretary will note that correction.”*

💬 Ask again: *“Are there other corrections?”*

💬 Recognize all corrections, then say: *“The minutes will stand as corrected.”*

It is not necessary to have a motion for approval.

- 3. Treasurer’s Report:** The Chair will introduce the Treasurer, who will report on the finances of the resident council. Following the report, the Chair will ask if there are any questions. This report is not approved by residents. The treasurer will then note that the report will be filed for audit.

- » The Treasurer will retain a copy and provide a copy of the report to the housing authority and to the Secretary to be included with the Minutes.
- » Every regular general meeting should include a Treasurer’s Report. However, in emergency or special-purpose meetings, this may be skipped.

4. Reports: The Chair will ask for reports from any of the following groups that are in attendance:

- » The Board of Directors
- » Resident Council representatives on any housing authority committees
- » Committees
- » Housing authority staff and other staff reports (building manager, security, etc)

The Chair can choose the order of reports. The chair of a committee may say “no report.”

5. Old Business: Old business consists of problems or concerns that were not completely dealt with at the last meeting.

- » When preparing the agenda for the Resident Council meeting, the Board of Directors should specify items that will be discussed under this point. The Chair will introduce each issue and, as appropriate, note how much time the issue will have and any decisions that need to be made.
- » The Chair can also ask if there is any old business to be addressed.
- » **For each issue that is brought up the discussion should end with a decision or clear next steps. Issues that need more attention should be referred to a committee or working group.**

6. New Business: New business is anything that has not been discussed at a previous meeting, or is a new problem or concern.

- » When preparing the agenda for the Resident Council meeting, the Board of Directors should specify items that will be discussed under this point. The Chair will introduce each issue and, as appropriate, note how much time the issue will have and any decisions that need to be made.
- » The Chair can also ask if there is any new business and ask for a motion, a 2nd, concerns, and a vote to discuss the issue if it was not already on the agenda.
 - The Chair should clarify if there is an action or decision that needs to be taken.
 - As possible, decisions should only be taken on issues that were presented in the meeting notice. However, urgent issues, that are not listed in the Bylaws as requiring a vote by the full membership, may be taken up and then presented at the next meeting.

7. Closing / Check-out: The Chair or Board of Directors can decide on a closing. This should be something fun that encourages residents to stay to the end of the meeting, such as: introduction of new residents, honoring persons with birthdays that month, etc.

8. Adjournment:

💬 Chair should ask, *“Is there any further business?”* Chair has the option to refer any further business to the next meeting.

💬 If not, the Chair should declare the *meeting adjourned*. It is not necessary to have a motion to adjourn.

*The Chair should keep in mind that the meeting belongs to the Resident Council. These procedures should be used to ensure that the meeting is efficient and productive but also inclusive. **These guidelines should not be used to exclude residents who are not familiar with procedures or processes. Rather, the Chair should work to include new residents and guide them through the process.***

Decision-Making / Using Motions

To accomplish business and make decisions the Resident Council and Board of Directors has adopted a clear decision-making process. This process of using motions is adapted from “Robert’s Rules of Order” a manual that is used to govern most organizations with boards of directors.

The Resident Council will strive to have as much agreement, or consensus, as possible but will use majority voting as needed.

A proposal is a suggestion for an action that should be taken.

A proposal should be specific so that the group is clear on the steps that are going to be taken. A proposal should answer the questions: *who, what, when, where, and why.*

1. Introduce the proposal as a motion.

💬 *“I move that...”* The Secretary records the exact wording and who made the motion.

» Ms. Smith, “I move that we do a backpack give-away for kids on Saturday, August 30th. The community organization is donating the backpacks so we just need 5 or so volunteers.”

2. The motion (proposal) is seconded.

💬 *“I second the motion.”* Secretary records that the motion was seconded (name not necessary). If there is no second, the process ends.

3. Chair repeats exactly the motion made.

💬 *“It has been moved and seconded that...”*

4. Chair calls for discussion.

💬 *“Is there any discussion?”* or *“Is there any further discussion?”*
The Chair should facilitate an orderly discussion so that just one person speaks at a time and each person has appropriate time to speak.

5. The Chair will work to move the group to a decision.

Some techniques that can be used are:

» If the Chair thinks that people are generally in agreement and further discussion may not be needed, they can check to see if the group is ready for a vote by taking an informal vote, often called a straw poll.

💬 *“How many people agree with what was said in support?”* or

💬 *“If we took a vote right now, how many of you would vote against it or have reservations.”*

- If most people agree, they can call for a vote.

Decision-Making Process

Introduce the proposal as a motion.

The motion (proposal) is seconded.

Chair repeats exactly the motion made.

Chair calls for discussion.

The Chair moves the group to a decision.

Next steps
or, as needed:

Amendments

Refer to committee

Delay

Resolution:

Chair calls for a vote—for, against, or tabled.

Results

Next steps

- » The Chair can seek to include different positions in the discussion by saying things like,
 - 💬 *“Let’s hear from someone who has a concern.”* or,
 - 💬 *“Let’s hear now from a couple people who feel differently.”*
- » The Chair can test to make sure the proposal is workable.
 - 💬 *“How many of you would volunteer at the event?”*
 - 💬 *“If we decide to do this, are there people willing to be on the committee?”*

These steps will be used as needed:

- 6. Amendments:** If people have concerns, these may be addressed by amending the motion. Amendments can also be used to improve, strengthen, or clarify a motion.
 - 💬 *“I move to amend the motion by...”* This new motion will need a second, and will then be repeated. If the amendment loses, the group can go back to the original motion.
- 7. Refer to committee:** A motion can be used to refer the idea to a committee if further discussion, work, or research is needed.
- 8. Delay:** A motion can be made to discuss the issue at a later time if more information is needed. This motion is preferable over a motion to “table” an issue.

Resolution

- 9. Chair calls for a vote—for, against, or tabled.** Refer to the bylaws for determining if a motion passes—most motions will pass by a simple majority. This can be a voice vote, show of hands, or ballot.
 - » **Voice vote:** This can be used when the group generally seems to be in agreement on an issue:
 - 💬 Example: *“All those in favor say yes”* and *“All those opposed say no.”*
 - » **Show of hands:** Most votes will be done by a show of hands in order to be able to record how many people vote each way.
 - 💬 Example: *“Raise your hand if you are in favor of holding the backpack give away on August 30th.”* And then, *“Raise your hand if you are opposed...”* The number of votes each way should be recorded by the Secretary.
 - » **Ballot voting:** Secret ballot voting should be used for Board elections. It can also be used for a contentious or very important decision where members may not want everyone to know how they are voting.
- 10. Results:** Chair announces results of vote.
 - 💬 Example: *“The motion is carried”* or *“The motion is defeated.”* Secretary records if the motion was carried, defeated or tabled.
- 11. Next steps:** Chair determines (appoints or asks for volunteers) who will carry out the motion and by what date.



Procedures for Board of Directors' Meetings

Board meetings are run much like Membership meetings, except only Board Members have the right to vote.

Notice: The Secretary must ensure that proper notice of all meetings is given to the Board and Members.

- The Board shall work to have a regular, monthly meeting schedule—that is, the meeting will take place on the same day, time, and place each month. For example, the first Tuesday of every month at 6 pm in the community room.
- This schedule will be placed in prominent locations at the property including _____ (location where the regular meeting schedule will be posted).
- In the event that the Board needs to change the regular meeting schedule, at least _____ days (at least 3 suggested) notice will be given to the Members by posting an updated notice in the same location. Board members shall be notified personally by phone, email, or written notice of meeting dates and times.

Agenda: Board meeting agendas will be set by the President with input from the rest of the Board.

Attendance: Board members are required to attend all Board meetings, unless excused. Board of Director meetings are open to the Membership unless the Board must close the meeting and go into executive session for all or a portion of its meeting. The Board may close the meeting to discuss confidential matters, including but not limited to removal of an officer, Board Member, or Member, discipline, and litigation. Non-residents (including staff) may attend only by invitation of the Board of Directors.

Decisions in Board meetings will be made through the same process as the Membership meetings. In order to make decisions the Board must have a quorum of _____ Board members (at least 3, modify if your bylaws are different) present.

The Board is responsible for carrying out Membership decisions and making day to day decisions to manage the organization. In instances where the Board makes a decision that affects Members' housing, services, or quality of life, these decisions should be brought to a Membership meeting for ratification. Refer to the bylaws for issues that require that certain decisions be made by the Membership in _____ (Article IV, section 9, update if your bylaws have been modified).

Minutes: the Secretary shall take and maintain minutes of all Board of Directors meetings and shall record attendance, whether there is a quorum, and the votes taken. In the absence of the Secretary, a temporary secretary may be designated to record the meeting minutes. All decisions are to be reported out to the Membership at the following Membership meeting during the Board's report.



Board Member Responsibilities

All Board members are expected to:

- Work to improve the quality of life and resident satisfaction for their community.
- Attend all membership meetings.
- Attend all Board meetings.
- Further the mission of the resident council and accomplish organizational business between meetings.
- Take advantage of training opportunities to better carry-out their responsibilities and serve their community.
- Assist the Resident Council and the Board in following the bylaws.

Board members who serve as Officers should work to the best of their abilities to fulfill the responsibilities of their position:

President: The President shall chair Board of Directors and General Membership meetings, represent the Membership and the Board of Directors, sign correspondence and documents on behalf of the organization (except as otherwise designated by the Board of Directors), and exercise general oversight of the organization.

Vice-President: The Vice-President shall perform the duties of the President when the President is absent or unable to perform their duties and shall assist the President in carrying out their duties.

Secretary: The Secretary shall take and maintain minutes of all Board of Directors and General Membership meetings and shall record attendance, whether there is a quorum, and the votes taken. The Secretary shall ensure that proper notice of all meetings is given to the Members. In the absence of the Secretary, a temporary secretary may be designated to record the meeting minutes.

Treasurer: The Treasurer shall keep the organization's financial records, sign off on checks authorized by the Board of Directors, and provide regular statements of income and expenditures from all funding sources to the Board of Directors and once a year to the General Membership. The Treasurer will ensure that all checks issued by the organization have at least one signature, generally the President's, in addition to their own.

Additional positions: If the Board has any additional Officer positions, information on those positions can be added here.



Procedures for Board Elections

Basic Requirements

The Board or Elections Committee must ratify any changes to the elections process (including recall elections) before the process begins. If these procedures are modified, the election committee will first ensure that any new proposed procedures comply with the HUD minimum requirements at [24 CFR Part 964.130 \(Election Procedures and Standards\)](#):

- The resident council shall use an independent third-party to oversee elections and recall procedures.
- The PHA shall monitor the resident council election process and shall establish an appeal procedure that can be used if HUD requirements have not been met.
- Elections must be held at least once every 3 years for each position.
- The election procedures shall include qualifications to run for office, frequency of elections, procedures for recall, and term limits if desired.
- All voting members of the resident community must be given sufficient notice (at least 30 days) for nomination and election. The notice should include a description of election procedures, eligibility requirements, and dates of nominations and elections.

The resident council will also ensure that any voting procedures comply with the following best practices (these are not HUD requirements):

- **Secret ballot voting:** voters' ballots must be secret from all other members.
- **Accessibility:** the process shall ensure that residents who are persons with a disability are able to vote.
- **Language access:** the process shall ensure that all translation and interpretation needs are met for residents. This may include steps for a resident to notify the housing authority, election committee, or Board of any language access needs. The Housing Authority shall assist with providing this service.
- **Voter eligibility should be confirmed without compromising confidentiality.** A member of the housing authority staff should confirm eligibility, including that the resident is a leaseholder who is a designated head of household (any age) or 18 years or older per HUD regulations 24 CFR 964.125(b).
 - » Ballots will only be distributed to eligible residents.
 - » Housing authority staff will note who is given a ballot and the resident will sign for the ballot.



See the [Sample Forms for Resident Council Elections](#) for forms and notices related to these procedures.

Timeline for Elections

This timeline complies with HUD requirements, but it can be modified (except where noted) and still meet the requirements.

_____ days (recommended 60) before Election Day:

- The Board or Elections Committee meets to finalize any changes to the elections process.
- Each task in the timeline is assigned to a specific person or people.
- The Board consults with the housing authority as necessary to confirm the process, ensure housing authority availability for their roles, and confirm the third party monitor.

_____ days (45 recommended, must be at least 30) before Election Day:

- Initial Notice of the election is distributed following the requirements above.

_____ days (recommended 10) before Election Day:

- Final day to submit nominations.
- Board confirms the eligibility of all nominated candidates with the housing authority. Any candidate found ineligible must be *immediately* notified so that the candidate can contest that determination with the housing authority.

_____ days (recommended 7) before Election Day:

- Final Notice of the election is distributed, including the names of qualified nominees.
- _____ (name or acronym of the housing authority) finalizes list of named lease-holders to confirm voting eligibility.

Election Day:

- Meeting is held to allow candidates to present.
- Voting occurs according to the bylaws and procedures, monitored by the housing authority and overseen by third party monitor / election judge.

_____ business days (recommended up to 5) after Election Day

- Election judge confirms winners and transmits certified results to the Board and _____ (name or acronym of the housing authority).
- The housing authority re-confirms eligibility of all elected candidates (especially write-in candidates).
- If the winner of any position is deemed not eligible by the housing authority, the second-place candidate will be deemed to have won the position.

_____ business days (recommended up to 10) after Election Day

- The Board publishes or distributes the results of the election.

_____ business days (recommended up to 15) after Election Day

- Final date to submit any grievances regarding the election.

Board of Director Terms

- Board terms will be for _____ years (see the bylaws, no more than 3).
- There will be _____ to the number of terms a Board member can serve (choose a number of terms or choose no limit).
- Board members will have staggered terms so that not all members are up for reelection each year. This may mean that Board members will have different term lengths. The term length will be included in the nomination announcement and form.

Who May Vote

Per HUD regulations (24 CFR 964.125(b), to qualify to vote in the Resident Council elections, you must:

- be named on the lease of a property represented by the resident council.
- be eighteen years or older or the head of household.

Who May Run As A Candidate

Per HUD regulations (24 CFR 964.125(c), candidates must meet all of the following eligibility requirements:

- be named on the lease of a property represented by the resident council.
- be eighteen years or older or the head of household.
- be compliant with the lease (as certified by the property manager).
- meet the requirements described in the by-laws.

Per HUD regulations (24 CFR 964.145), resident council officers:

- Cannot be employed or contracted by the PHA or management in policy-making or supervisory positions.

The resident council may request or require that candidates:

- be able to perform the duties of the office for which they are running.
- be nominated using Candidate Nomination Form and accept the nomination.
- be willing to participate in a training session or certify that they reviewed training materials including the description of the responsibilities for the position on the Board that they are seeking.

Nominations

Any member may nominate themselves or any other member for any Board position. A nomination must be made in writing using the Candidate Nomination Form. Nominations must be received by the Board (or elections committee) at least _____ days (recommended 10) before the date of the election.

Nominations that are received after that date or at the election meeting can be considered as write-in candidates (optional, check if applicable).

Campaigning

Candidates for the Board of Directors are encouraged to campaign for their position. This is a great way for the candidates to reach out to neighbors and let them know why they are interested in serving on the Board and to hear from residents about their needs and interests.

Campaigning may include:

- Direct outreach to neighbors.
- Distribution of flyers or other materials.
- Posting of flyers or other materials in areas approved by the Resident Council or Elections Committee.

Candidates may campaign until the time of the election. Candidates are responsible for designing and printing their posters, flyers, and other campaign literature. Tenant Participation funds cannot be used for campaigning purposes.

Candidates will be permitted time to speak to the Resident Council membership at a meeting before the elections are held. This meeting may be on the day of the elections, before ballots are cast.

Distribution of Ballots and Voting on Election Day

The Board, housing authority, and election monitor should ensure that only eligible voters receive ballots and that the ballots are secret. A housing authority representative, usually the resident manager, should be present to check eligibility and monitor the election process. As members arrive for the meeting and sign in, the housing authority representative will check their eligibility and mark their presence on the list. That person or another member of the election committee will distribute an unmarked ballot to each voter.

The ballot should be pre-printed with the names and positions for all candidates who were nominated and had their eligibility confirmed by the housing authority.

Space for write-in votes should be provided under each position that is up for election (check if write-in candidates are allowed).

After any candidate speeches, voters must be provided space and time to mark their ballots in secret. The ballot should be handed directly to the third party election monitor or placed in a box monitored by that person (choose one).

Filing a Complaint or Grievance

Residents have the right to file a complaint if they believe that these procedures were not followed or there was some other reason the elections were not fair.

Complaints must be made in writing within _____ business days (recommended 15) of the election. The letter should include:

- A written description of the concerns.
- References to any specific portion of the bylaws, election rules, or HUD regulations that the complainant believes were violated (not required, but helpful).
- Copies of any evidence of the concerns (for example, copies of notices that were defective).

If a potential candidate is found ineligible but believes that determination was made in error, the potential candidate is encouraged to file a complaint immediately upon notification that they are ineligible, and not wait until after the election.

Complaints may be sent by email to: _____
(email address for appropriate PHA staff)
or by mail to: _____
(mailing address for appropriate PHA staff).

If the complainant is dissatisfied with the response, they may appeal in writing to
_____ (name or department of appropriate PHA staff)
by email: _____ (email address for appropriate PHA staff) or by
mail to: _____
(mailing address for appropriate PHA staff), within _____ business days (recommended 5). The complaint
will be reviewed and a final decision will be made as expeditiously as possible.

Certification of Election Results

The third party overseeing the election will certify the election results within _____ business days (recommended 5) of the election. Formal notification will be sent to the Resident Council Board and the housing authority.

Election results will be distributed in the same manner that meeting notices are distributed within _____ business days (recommended 10) of the election.

Swearing-In Ceremony

Newly-elected directors automatically assume office on the first day of their term, as defined in the bylaws. The Resident Council may additionally hold a swearing-in ceremony at a meeting of the Board or the Membership.



Procedures for Recall Elections

A recall election is a process that can be used when a Board member is either unable to fulfill their responsibilities or has engaged in misconduct.

The following are reasons to recall a Board member:

- Absence from _____ board meetings (recommended 3) in the last 12 months without excuse.
- Violating the confidentiality of residents.
- Misusing the Resident Council's office or name. Examples of this could include:
 - » Publicly representing the resident council on a policy without approval.
 - » Seeking a personal donation or benefit while using the name of the resident council.
- Failure to resign after losing membership in the organization. Examples include:
 - » Moving away from the property.
- Acting contrary to a position taken by a Board of Directors vote.
- Breaching the Director's duty of loyalty to the organization. The duty of loyalty requires a board member to put the organization's financial interests before their own financial interests and to disclose any potential conflicts of interest. For example,
 - » If the resident council is looking at buying something from a company that the member happens to work for, the member should disclose this potential conflict of interest and not take part in the vote.
 - » If the member has a business that sells something that the resident council needs to purchase and the resident council can buy it from somewhere else for less, the member should not interfere with the resident council making its purchase.
- Acts not in good faith that involve intentional misconduct or a knowing violation of law.
- Any transaction from which the Board Member derived an improper personal benefit.

Note: Before a recall election of a Board Member is initiated, residents should seriously consider if the reasons are warranted and if there is another way to resolve an issue. In some cases, a one-on-one meeting with the Board Member could help clarify their responsibilities or reasons for their behavior. In cases where it is not clear if there has been a violation, the resident council should consult with a third party, including a representative from the housing authority or a respected outside organization.

Timeline for Recall Elections

Before recall petition is initiated:

- Members may distribute a recall petition and once _____ (at least 10%, must match the bylaws) of Members have signed, present the petition to the Board. The petition must state the reasons for the recall request.

Within _____ days (recommended 10) of receiving a recall petition:

- The Board meets to confirm the election process and who will cover specific responsibilities (the Board member facing recall should not have any responsibilities related to the recall election).

- The Board must verify the petition has the required number of signatures and that all signatures are from eligible Members of the resident council. In case of any discrepancies, the Board must consult the housing authority.
- The Board may consider that in the event of a successful recall, whether the vacant position will be filled or not.
- If the Board is already scheduled to meet in this timeframe, this topic may be discussed at a regular Board meeting.

Within _____ days (recommended 15) of receiving a valid recall petition:

- The Board must identify the third-party monitor and confirm with the housing authority.
- Notice must be posted for the recall election which includes the date, time, location, and purpose. If there is a regularly scheduled Membership meeting during the time period, that meeting can be used for this purpose.

Within _____ days (recommended 30) of receiving a valid recall petition:

- The recall election must be held at a meeting called and noticed for this purpose.
- The Board Member being recalled must have an opportunity to speak.
- Votes must be collected by the third party monitor.
- The vote result must be announced immediately at the meeting.

Recall Election and Vote Counting

- At the recall election meeting, any Board Member who is facing removal has the right to speak. Voting must be done by secret ballot, monitored by the housing authority and overseen by a neutral third-party monitor (just like regular Board elections).
- If a majority of members present at the meeting vote to remove the Board Member, that person is immediately removed as a Board Member and, as applicable, Officer. Any Board Member who is removed as a Board Member must turn over all of the Board's records and accounts to the Board of Directors.
- At that meeting Members can state their interest in filling the vacant position, or allowing it to remain vacant.
- These Members, and potentially others, will be considered by the Board to fill the vacancy unless the Board decides not to fill the vacancy. Any appointed or elected Board member must meet all standard election requirements, including being lease-compliant.



Procedures for Filling Board Vacancies Mid-Term

In the case that a Board member resigns, permanently moves away from the property, or is removed from office in a recall election, a vacancy is created for the remainder of that person's term.

The Board may appoint another member of the Resident Council to take their position until the next regular election. In this case:

- The Board may choose a temporary replacement from the Membership who is willing to take on the role and meets the requirements to be on the Board, including not being in violation of the lease.
- A majority vote of the Board may then vote to confirm the temporary Board member.
- The Board may choose to leave a vacancy open until the next election, but not if it will cause the number of Board members to drop below the quorum.
- The temporary Board member (if any) will serve until the next regularly-scheduled election for the position. The temporary Board member may seek re-election through the regular elections process.

If there is also a vacancy in an Officer position, the Board may choose to re-assign roles internally on a temporary basis or may directly appoint someone to the vacant role until the next election. During this time, one Board member may hold multiple Officer positions.

This policy differs from the usual election policy which takes at least 2 months to solicit and requires outside monitoring and coordination. This policy provides for a transparent process to ensure a fully functioning Board of Directors until a full election is held.