



Sample Resident Council Procedures & Sample Forms for Resident Council Meetings & Elections



Training Overview

Sample Resident Council Procedures

- Sample, customizable procedures
- Membership meetings
- Board meetings
- Board member responsibilities
- Board elections
- Recall elections
- Filling board vacancies mid-term

Sample Forms for Resident Council Meetings & Sample Forms for Resident Council Elections provide customizable forms and notices to carry out the Procedures.



Key Points



- These sample procedures are based off of the Sample Bylaws provided in this Toolkit.
- The procedures provide detail for carrying out important resident council functions — particularly running meetings and electing board members and officers.
- The sample documents provide templates for carrying out the procedures such as sign-in sheet forms and notices for meetings.
- In carrying out resident council functions its important to safeguard residents' personal information and only collect information that is necessary.



Protecting Resident Council Members Information and Privacy



Resident councils have a responsibility to safeguard members' personally identifiable information (PII).

- Only collect information about individuals that is relevant and necessary.

Consider:

- Do you truly need this information?
- Could it be collected anonymously?



Store Records with Safeguards

Only share and discuss personal information with those who need to know it.

Clearly label all files containing sensitive information (example “for board use only”).

Lock up all paper files and media with PII in a file cabinet or case.

Password protect computers, or specific e-files.

Keep accurate records of where PII is used and maintained.

Restrict access to offices where information is stored.

Destroy records once they are no longer needed.

Consult an attorney or your PHA for training and support.



Providing Notice to Members

Let members know what information is needed, why it is needed, and that sharing information is optional.

Sign-in Form for Membership Meeting

Date: _____ (Name of Resident Council)

Members must sign in for all meetings. Your contact information is optional but the Board asks that you share it, especially if it has changed. We want to keep you updated!

Name	Address	Email	Phone

The Board takes safeguarding your personal information seriously. Your information will never be shared with outside parties without your permission. Providing personal information is optional. However, at times sharing personal information is necessary to participate in resident council activities such as running for the Board or voting in an election.

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Adapting the Sample Procedures



Based off the Sample Bylaws — modify these to match your bylaws

Comply with HUD regulations for a duly-elected resident council including requirements for board elections and recalls.

Your organization can:

- Decide on the procedures that will work for you (in most places).
- Have the board of directors adopt the procedures so they can be easily updated.
- Save, print, and share with your members!



Knowledge Check



With regards to residents' personally identifiable information, the resident council should:

- a. Never collect personal information
- b. Only collect information that is necessary and relevant
- c. Have the PHA collect private information
- d. All of the above



Knowledge Check



- b. Only collect information that is necessary and relevant



Knowledge Check



The resident council can safeguard residents' personal information by:

- a. Locking up paper files and media
- b. Password protecting computers and electronic files
- c. Keeping accurate records of where personal information is used and stored
- d. All of the above



Knowledge Check



d. All of the above

- Locking up paper files and media
- Password protecting computers and electronic files
- Keeping accurate records of where personal information is used and stored





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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.



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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.



Screen Sharing: Video Training Reviews Decision-Making

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.



- 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—by, against, or tabled. Refer to the bylaws for determining if a motion passed—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.



Screen Sharing: Video Training Reviews the Procedures for Board Meetings



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.



Screen Sharing: Video Training Reviews the Procedures for Board Responsibilities



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.



Screen Sharing: Video Training Reviews the Election Process



Procedures for Board Elections

Basic Requirements

The Board or Elections Committee must **reify** 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 that can be used if HUD requirements have not been met.
- 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.



Screen Sharing: Video Training Reviews the Board Terms

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).



Screen Sharing: Video Training Reviews Recall Elections

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).

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- 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.

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Recall Elections

HUD regulations require written procedures for the recall of a board member(s) by the membership.

These must:

- Allow for a petition by members.
- Set a minimum number of members, a threshold, who can call for a recall election — at least 10% of the voting membership.
- Have a third party oversee the recall voting process

The resident council may decide on a recall process that meets these requirements. Sample procedures provide one option.



Filling Board Vacancies

HUD regulations

- Do not specify how to fill Board vacancies outside of normal elections.
- Require that all Board members meet all standard election requirements.

Sample procedures

- Give the option of finding potential candidates at the recall election to be voted on by the Board, OR allowing the position to remain vacant.
 - » Positions may remain open only if there are enough Board members for quorum.
- Create a streamlined election process

Note: If the resident council does not hold annual elections, consider a process for the membership to elect new Board members within a year.



Knowledge Check



HUD regulations require:

- a. That board elections take place at least once every 3 years
- b. That board members serve no more than 2 terms
- c. That board vacancies during a term are filled through a vote of all members
- d. All of the above



Knowledge Check



- a. That board elections take place at least once every 3 years



Knowledge Check



True or False:

Under the Sample Procedures, only a board member can make a proposal during a resident council meeting.



Knowledge Check



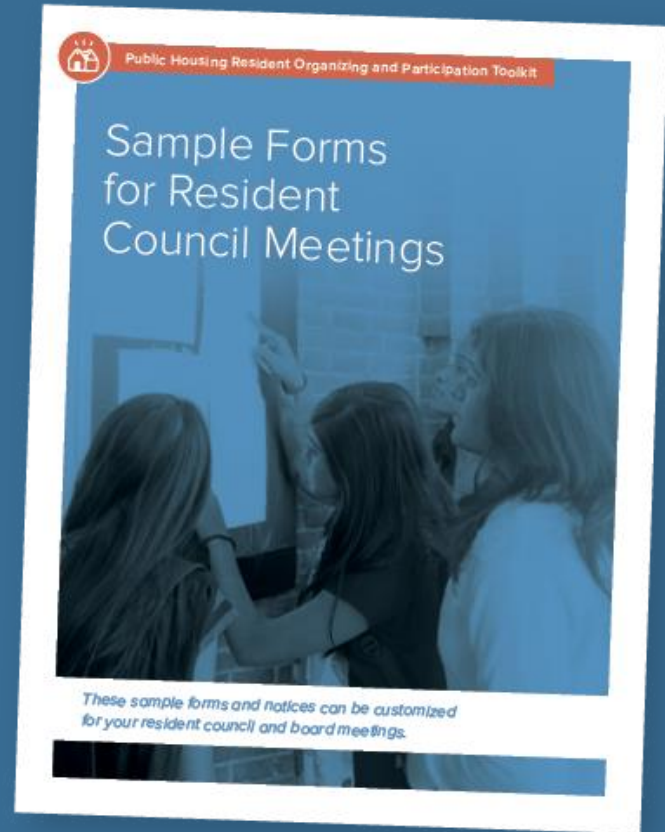
False:

Any member can make a proposal during a resident council meeting.



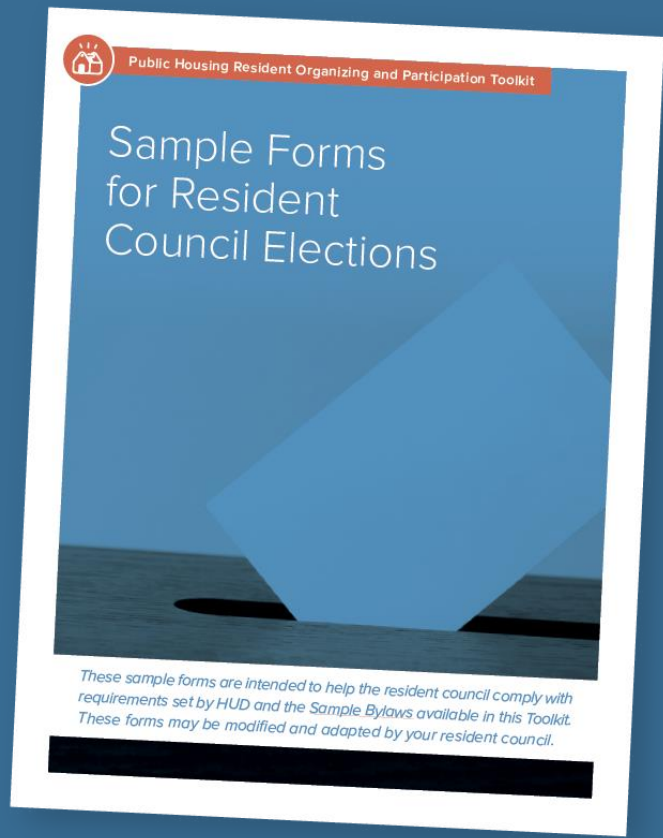


Screen Sharing: Video Training Reviews Sample Forms for Resident Council Meetings





Screen Sharing: Video Training Reviews Sample Forms for Resident Council Elections



Knowledge Check



How many days' notice do the Sample Procedures recommend for the initial notice for a resident council election?

- a. 7
- b. 30
- c. 45
- d. 60



Knowledge Check



c. 45



End of Training on Sample Resident Council Procedures & Forms



This training 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/>

This document is provided for informational purposes only and is not an official, or required, HUD document.

