

CAMBRIDGE HOUSING AUTHORITY

Policy for Recognition of Local Tenant Organizations at Public Housing Developments

A. Preamble

Whereas the successful management of Cambridge Housing Authority (CHA) public housing developments requires the involvement and cooperation of local residents, and CHA supports the organization and participation of residents in all levels of policymaking and planning.

Whereas the existence of viable, representative, and democratically elected local tenant organizations (LTOs) is critical for achieving participation and cooperation at public housing developments, CHA encourages residents to form LTOs and elect officers to represent them and assist them in communicating their concerns and opinions.

Whereas CHA wishes to acknowledge duly elected resident councils as representative of tenants at their developments, *CHA establishes a policy, set forth herein, for the recognition of local tenant organizations. The criteria and procedures for LTO recognition defined in this policy promote elections and proceedings for LTOs that comply with standards and guidelines set forth in state (760CMR 6.09) and federal (24 CFR 964) regulations.*

Whereas LTOs are independent organizations operating according to locally approved bylaws and procedures, CHA establishes that nothing in the policy set forth herein, shall preclude such organizations from exercising their rights as independent organizations.

B. Criteria for Recognition of Local Tenant Organizations

1. CHA will recognize LTOs that:

a. Extend membership and voting rights to all heads of household or to all residents 18 years of age or older whose names appear on a lease of a unit in their local developments.

b. Have locally-developed bylaws to which they adhere and which incorporate the following provisions:

(i.) That the written provisions or by-laws may be changed only by a majority vote of the residents present at a meeting for which there has been reasonable advance notice of the time, place, date and purpose.

(ii.) That the development's voting membership elect a governing board consisting of at least five (5)¹ officers.

¹ In a case where four officers are stipulated in tenant council by-laws in effect at the time of this policy's adoption, tenant councils are advised to amend their by-laws to read "at least five officers" and to meet this criteria at its next regularly scheduled officer elections.

(iii.) That the LTO adhere to the minimum standards for elections as provided by this policy in Section C, "Procedures And Standards For Local Tenant Organization Board Elections."

(iv.) That service on the board of directors be restricted to those who are eligible voters, as described in B. 1(a), above; and that non-residents, therefore, are excluded from serving as voting members or officers of an LTO board of directors.

(v.) That a clear procedure governing special elections and election recall be in place.

c. Demonstrate the capacity to act as their community's representative organization through the following means:

(i.) Holding elections at least once every three years at a time and place which is designed to maximize the local participation of all legal residents of the local development. CHA advocates for more frequent elections wherever possible.

(ii.) Convening regular meetings at least four times a year, open to all members.

(iii.) Showing evidence of good faith efforts at

(a) achieving reasonable representation on the local board of all racial and ethnic groups within the local development.

(b) achieving reasonable representation on the local board of residents from all geographic areas of the local development.

(c) informing local residents on matters of common interest, including CHA modernization efforts and policy revisions.

(d) providing residents attending development-wide meetings the opportunity to make known their views on matters of common interest.

d. Comply with all applicable federal, state and municipal laws, ordinances, and regulations, and agree to assume all obligations of law and regulations.

2. CHA may *withdraw* official recognition from a tenant organization only on evidence, with prior written notification, of failure to meet the criteria set forth in B.1, above. This withdrawal may occur only after failure of the organization to correct the areas of non-compliance detailed in CHA's written notification.

C. Procedures and Standards for Local Tenant Organization Board Elections

1. If an LTO has become inactive, and the residents within the affected development wish to reestablish an LTO, CHA will provide guidance, upon request, in the establishment of an LTO, including the implementation of elections in compliance with the minimum standards set forth in this section.

2. To receive official recognition from CHA, LTOs must formally adopt into their bylaws a set of procedures, consistent with the minimum standards set forth in this section, that assure fair and frequent elections of officers.

3. Notification and Nomination Requirements:

a. Nomination and election procedures may impose no unfair or excessive restrictions on candidates desiring to run for office.

b. Prior to nominations, the LTO must establish an election committee comprised of resident non-candidates and third-party volunteers. This committee will implement and oversee all LTO nomination and election activities.

c. All households with voting members must be given a description of the nomination procedure, eligibility requirements, and date of the nominations deadline.

(i.) To ensure the notice solicits the broadest possible attention of residents and encourages their participation in the electoral process, such notices must be translated from English into the most appropriate languages for the development's population. CHA will, upon request by the LTO, provide copies of these translated materials and assist in their distribution to each household. If such a request is not made to CHA within a reasonable time frame, the LTO will be responsible for the translation and distribution of these nomination and election materials.

(ii.) The notice must provide clear instructions on the nomination process, including who is eligible as a candidate and how interested residents may become nominated as candidates.

d. Nominations must remain open for a minimum of **fifteen (15) days** from the date of the initial notice.

e. Once nominations close, the LTO must provide a list of nominees to all voting member households of the local development. This notice must be given at least **15 days** prior to elections and must be delivered to each occupied unit of the development.

4. Election and Balloting Procedures

a. Residents must be notified of voting procedures and a sample ballot with each candidate's name should be posted in every hallway, management and LTO office at least seven (7) days prior to the election.

b. LTOs must conduct a broad range of activities to encourage resident participation, for example sponsoring candidates' nights, posting reminder notices and distributing leaflets to resident households.

c. A secure ballot box must be used at each polling place and the LTO must verify each voter's eligibility. Upon request by the LTO board or election committee, the manager will supply a list of eligible residents and their addresses for this purpose.

d. Candidates for election are to be prohibited from entering the voting area except to cast his/her own ballot.

e. LTOs must obtain an impartial third party to monitor balloting and oversee voting tabulations. Community-based organizations, city agencies or other impartial entities, such as the League of

Women Voters, the Mass. Union of Public Housing Tenants, or the City of Cambridge Election Commission are considered suitable for this role.

f. Election results must be provided to residents within three (3) days of voting through the posting of visible notices at the LTO and management offices.

D. Procedures for Requesting Recognition of Local Tenant Organizations

1. Following each election the CHA will officially recognize those LTOs that submit a written request for recognition to CHA's Executive Director. This correspondence must include a request for recognition, a copy of the LTO's by-laws, a list of elected board members and their addresses, and a description of the election procedures.

2. CHA will inform the LTO requesting recognition of its decision in writing within 14 days of receiving the request. Such communications will include any and all reasons for non-recognition, if appropriate.

a. All decisions on recognition will be made by the CHA based solely upon the evidence requested under B.1 and D.1.

b. Recognition will occur for a period not to exceed three years.

c. CHA will recognize only one LTO as the official representative of residents in a single development, which LTO shall be the exclusive representative of residents in that development.

d. CHA will provide notice to all residents of a development of any decision not to recognize an LTO, explaining its reasons according to the criteria in B.1 and D.1.

3. In the case of disputes between two or more groups of local residents, all of whom request recognition as the LTO, the CHA will attempt to reach an amicable settlement among all parties. If CHA is unsuccessful at reaching an amicable settlement among the parties, CHA's Executive Director will recognize the resident organization that most fairly and effectively represents residents of the development. Such decisions will be based solely upon the criteria contained in Section B, state regulations (760 CMR 6.09 2B), and information submitted by the various organizations according to the requirements of Section D.1. Notice of such decisions, including an explanation of the facts of the case and the reasons for its decision, will be submitted in writing to all resident organizations which have requested recognition, as well as all residents of the impacted development.

4. If an LTO fails to satisfy the minimum standards for fair and frequent elections, described in Section C, fails to follow its own election procedures as adopted, or fails to perform its functions freely and democratically, the CHA may withdraw recognition of the LTO and withhold tenant council "per unit" funds.

5 To the extent that anything herein shall be deemed by the U.S. Department of Housing & Urban Development to conflict with 24 CFR 964, "Tenant Participation and Tenant Opportunities in Public Housing," or deemed by the Department of Housing and Community Development to conflict with 760 CMR 6.00 "Tenant Participation in the Administration of Public Housing," or any other superseding regulations, that regulation shall govern.

E. Funding for Local Tenant Organizations

1. CHA will annually provide each recognized LTO with funds equal to \$8.00 per residential unit or \$500.00, whichever is greater.

2. This money may be used by LTOs for general operating expenses and for certain programming and activity costs. This money may be further used to purchase such things as office supplies and equipment, as well as to support such social activities as development-wide cookouts or picnics. Workshops and supportive educational activities are other examples of the types of programs LTOs may provide with the support of these funds.

3. CHA will notify, in writing, each LTO of the total amount of funds available to it at the beginning of each fiscal year, which officially runs from April 1 to March 31. Funds are therefore available on an annual basis according to the above mentioned official time period.

4. In order for an LTO to receive these funds, it must submit an annual budget to CHA that reflects the period from April 1 to March 31.

a. The annual budget prepared by the LTO should describe proposed expenditures and be forwarded to the CHA Tenant Liaison or to the director of CHA's Fiscal Department, 675 Massachusetts, 2nd Floor, Cambridge, MA 02139. LTOs may also forward annual budgets to the fiscal department through development managers.

b. CHA may, upon request, review the LTO expenditure records at anytime during the fiscal year.

c. At the end of the fiscal year, the LTO is required to forward records and receipts of all expenditures to the CHA. The housing authority will not make funds available for a new fiscal year until expenditure records and receipts for the previous fiscal year have been submitted

5. CHA may provide additional funds, as available, to recognized LTOs for demonstrated training needs, such as seminars, conferences, or classes related to LTO functions in the community.

F. Tenant Rights to Participate in LTOs

1. CHA encourages and will assist tenants in their organizing activities. CHA will not in any way interfere with or discourage tenant organizing activities, nor will it seek to evict tenants or take reprisal against tenants for organizing, joining, or participating in the activities of an LTO.

2. CHA representatives will attend meetings of LTOs or other tenant meetings only at the request of their board members or other active participants.

3. CHA recognizes the right of all tenants to distribute appropriate literature and information to other tenants on CHA property. CHA will make arrangements for granting LTO representatives entrance to all residential buildings in the LTO development for the purpose of distributing or posting appropriate literature, fliers, or other communications; or for the purpose of making in-person contact with other residents. The LTO will be responsible for posting and distributing all information in appropriate places, as well as for its removal when appropriate. The LTO may not damage, deface, or litter development hallways, walls, or other areas in the course of resident communications.

APPROVED AND ADOPTED BY CHA BOARD OF COMMISSIONERS May 18, 2005