



CITY OF TEMPE RESIDENT ADVISORY BOARD POLICIES AND PROCEDURES

PHA POLICIES:

Citation: The Tempe Housing Services Division will comply with the requirements of HUD Regulation §903.13.

Role: The role of the Resident Advisory Board is to assist and make recommendations regarding the development of the PHA plan, and any significant amendment or modification to the plan. In addition to this HUD requirement, Tempe Housing Services will utilize the Resident Advisory Board to assist and make recommendations regarding the Section 8 Administrative Plan and the Family Self-Sufficiency Action Plan.

Eligibility: Eligibility for Resident Advisory Board includes:

- Resident must be directly assisted under the Section 8 Program in Tempe;
- Resident must be a Section 8 tenant in good standing; i.e. meeting all family obligations under the Section 8 program;
- Resident's name must be listed on the lease;
- Resident must be at least 18 years of age;
- Resident must be a current resident of the City of Tempe and must have been a resident of the City or an annexed area for at least two (2) years immediately preceding the appointment to the Board.

Size of Board: The Resident Advisory Board shall consist of not less than three (3) and not more than five (5) Section 8 residents.

Term of Office: The term of the appointment to the Resident Advisory Board will be for one (1) calendar year. The Resident is eligible for re-appointment if the Resident meets all eligibility requirements and expresses an interest in a re-appointment.

Staff Support Team: Working with the Resident Advisory Board will be a Staff Support Team consisting of: Housing Services Administrator, Section 8 Housing Specialist and Family Self-Sufficiency Specialist.

Removal from Office: Resident Advisory Board members may be removed from the Board for the following reasons:

1. is no longer a resident in the City of Tempe;
2. is no longer receiving direct assistance from the Tempe Housing Authority
3. is no longer a resident in good standing (violates any Section 8 family obligations);
4. is convicted of a crime involving moral turpitude;
5. death;
6. resignation;

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7. fails to attend two (2) consecutive Resident Advisory Board meetings, or other meetings as requested by the Housing Services Administrator.

Notification: Annually (in October or November), the Housing Services Division will send notification of the opportunity to serve on the Resident Advisory Board to all participants of the Section 8 Housing Choice Voucher Program (see attached sample). This notice will list the participation and eligibility requirements in addition to the reasons for removal from office.

Section 8 participants, who wish to be considered for a position on the Resident Advisory Board for the new calendar year, must notify the Tempe Housing Services Division in writing within 30 days from the date of the notification letter.

Recommendation: The staff support team will review the eligibility of those who have notified the Housing Services Division of their interest in being considered for the Resident Advisory Board. The staff support team will make the recommendation for appointment to the Housing Services Administrator.

Generally, all Family Self-Sufficiency (FSS) participants who express an interest in serving on the Board will be automatically considered for appointment; however, the THS must ensure that the Resident Advisory Board has reasonable representation of families receiving tenant-based assistance. If more FSS participants express interest than positions are available, reasonable representation will have first preference as selection criteria.

Appointment: The Housing Services Administrator will make the official appointment of the Resident Advisory Board members for the calendar year based on recommendation of the Staff Support Team and the current Resident Advisory Board members.

PROCEDURES FOR RESIDENT ADVISORY BOARD ACTION:

Meetings: When an item related to the administration, operation and management of the Section 8 tenant-based assistance program is being updated and/or reviewed (Annual Plan, Agency Plan, Administrative Plan, Family Self-Sufficiency Plan, Preferences, etc), the Resident Advisory Board will meet for the purpose of reviewing, commenting and approving the update.

All Advisory Board members will be notified in a timely manner of scheduled meetings.

Attendance: Attendance will be taken at each meeting via a sign-in sheet. If a Board member fails to attend two (2) consecutive Board meetings without being excused, the Board member will be removed from the Board. The Family Self Sufficiency Specialist will maintain a record of participation by the Resident Advisory Board.

Documentation: The Family Self Sufficiency Specialist will maintain a record of comments and/or documentation submitted by the Advisory Board.

SAMPLE RESIDENT BOARD INVITE NOTICE

City of Tempe
P. O. Box 5002
21 East Sixth Street, #214
Tempe, AZ 85280
480-350-8950 (TDD: 480-350-8913)



Fax: 480-350-8902
Community Development Department
Housing Services Division



RESIDENT ADVISORY BOARD PARTICIPATION

As a participant of the City of Tempe's Section 8 Housing Choice Voucher Program, you now have the opportunity to serve on the Housing Authority's Resident Advisory Board.

The role of the Resident Advisory Board is to assist and make recommendations regarding the development of the PHA plan, and any significant amendment or modification to the plan. In addition to this HUD requirement, Tempe Housing Services will utilize the Resident Advisory Board to assist and make recommendations regarding the Section 8 Administrative Plan and the Family Self-Sufficiency Action Plan.

Eligibility: Eligibility for Resident Advisory Board includes:

- Resident must be directly assisted under the Section 8 Program in Tempe;
- Resident must be a Section 8 tenant in good standing; i.e. meeting all family obligations under the Section 8 program;
- Resident's name must be listed on the lease;
- Resident must be at least 18 years of age;
- Resident must be a current resident of the City of Tempe and must have been a resident of the City or an annexed area for at least two (2) years immediately preceding the appointment to the Board.

Term of Office: The term of the appointment to the Resident Advisory Board will be for one (1) calendar year. The Resident is eligible for re-appointment if the Resident meets all eligibility requirements and expresses an interest in a re-appointment. The Resident Board member may be removed from the Board for the following reasons:

- is no longer a resident in the City of Tempe;
- is no longer receiving direct assistance from the Tempe Housing Authority;
- is no longer a resident in good standing (violates any Section 8 family obligations);
- is convicted of a crime involving moral turpitude;
- death;
- resignation;
- fails to attend two (2) consecutive Resident Advisory Board meetings, or other meetings as requested by the Housing Services Administrator.

If you are interested in being considered for a position on the Resident Advisory Board or wish to be re-appointed for a term of office beginning January 1, 2005 to December 31, 2005, you must notify our office in writing within 30 days from the date of this notice or no later than November 25, 2004.

If further information is needed or if you have any questions, please do not hesitate to contact, Karen Pierce or Terry Haley-Kolesar Family Self-Sufficiency Specialists at 480-350-8950 (TDD:480-350-8913).



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SAMPLE RESIDENT GOVERNING BOARD NOTICE

City of Tempe
P. O. Box 5002
21 East Sixth Street, #214
Tempe, AZ 85280
480-350-8950



TDD: 480-350-8913
FAX: 480-350-8902
Community Development Department
Housing Services Division

November 29, 2004

Tammy Tenant
000 E. City Dr., #0000
Tempe, AZ 85281

RE: Resident Governing Board Notice

Dear Ms. Tenant:

This is notice that as a member of our Section 8 Resident Advisory Board, you are eligible to serve on the Housing Authority's Governing Board. The Governing Board for the Tempe Housing Authority is the Tempe City Council.

As a member of the Governing Board, a Resident Board member may only take part in decisions related to the administration, operation and management of the Section 8 tenant-based assistance program when these items are brought before the City Council. The Resident Board member will be allowed to join in any discussion and will be allowed to cast a vote on Section 8 items only at regularly scheduled City Council meetings. The Resident Board member does not serve with the City Council in any other capacity and will not be allowed to vote on or take part in Council discussions on any matters not related to the Section 8 tenant-based program. You do have the same rights however, as any other citizen to comment on items brought before Council as a public hearing item or as a scheduled or non-scheduled speaker before the Council.

Further eligibility requirements include:

- Resident must be directly assisted under the Section 8 Program in Tempe;
- Resident must be a Section 8 tenant in good standing (meeting all family obligations under the Section 8 program);
- Resident's name must be listed on the lease;
- Resident must be at least 18 years of age;
- Resident must be a current resident of the City of Tempe and must have been a resident of the City or an annexed area for at least two (2) years immediately preceding the appointment to the Board.

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The term of this appointment will be for one calendar year. The Resident Board member may be removed from the Board for the following reasons:

- a) is no longer a resident in the City of Tempe;
- b) is no longer receiving direct assistance from the Tempe Housing Authority;
- c) is no longer a resident in good standing (violates any Section 8 family obligations);
- d) is convicted of a crime involving moral turpitude;
- e) death;
- f) resignation;
- g) fails to attend two (2) consecutive Resident Advisory Board meetings, or other meetings as requested by the Housing Services Administrator.

The City Council meets on Thursdays at 7:30pm in the City Council Chambers at City Hall. If selected as a Resident Governing Board member, you will be expected to attend any meetings where decisions related to the Section 8 tenant-based program would be discussed and voted on.

If you are interested in being considered for the position of Resident **Governing** Board member, you must notify our office in writing within 30 days from the date of this notice, by 5:00 p.m. on December 29, 2004. Written notifications must be addressed to Ms. Liz Chavez, Housing Services Administrator, and 21 E. 6th Street, Suite 214, Tempe, AZ 85281.

If more than one Resident Advisory Board member submits a written request for consideration for the Resident Governing Board member position, the Resident Advisory Board members will be given notice of the members expressing an interest and will be given the opportunity to vote for their choice for Governing Board member. The Resident Board member receiving the most votes will be recommended to the Mayor for an appointment.

Note: if you do not wish to be considered for the Resident Governing Board member position, you will still remain a member of our Resident Advisory Board.

If further information is needed, please don't hesitate to contact Liz Chavez, Housing Services Administrator, at 480-350-8950 (TDD: 480-350-8913).

Sincerely,

Liz Chavez
Housing Services Administrator

Code of Federal Regulations
Title 24, Volume 4
Revised as of April 1, 2002
CITE: 24CFR964

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TITLE 24--HOUSING AND URBAN DEVELOPMENT

CHAPTER IX--OFFICE OF ASSISTANT SECRETARY FOR PUBLIC AND INDIAN HOUSING,
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PART 964--TENANT PARTICIPATION AND TENANT OPPORTUNITIES IN PUBLIC HOUSING--
Table of Contents

Subpart E--Resident Board Members

Source: 64 FR 56879, Oct. 21, 1999, unless otherwise noted.

Sec. 964.400 Purpose.

The purpose of this **subpart** is to implement section 2(b) of the United States Housing Act of 1937 (42 U.S.C. 1437).

Sec. 964.405 Applicability.

(a) General. Except as described in paragraph (b) of this section, this **subpart** applies to any public housing agency that has a public housing annual contributions contract with HUD or administers tenant-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) Exceptions. The requirements of this **subpart** do not apply to a public housing agency that is:

- (1) Located in a State that requires the members of a governing board to be salaried and to serve on a full-time basis; or
- (2) Not governed by a governing board.

Sec. 964.410 Additional definitions.

The following additional definitions apply to this **subpart** only:

Directly assisted. Directly assisted means a public housing resident or a recipient of housing assistance in the tenant-based section 8 program. Direct assistance does not include any State financed housing assistance or Section 8 project-based assistance.

Eligible resident. An eligible resident is a person:

- (1) Who is directly assisted by a public housing agency;
- (2) Whose name appears on the lease; and
- (3) Is eighteen years of age or older.

Governing board. Governing board means the board of directors or similar governing body of a public housing agency.

Resident board member. A resident board member is a member of the governing board who is directly assisted by that public housing agency.

Sec. 964.415 Resident board members.

(a) General. Except as provided in Sec. 964.405(b) and 964.425, the membership of the governing board of each public housing agency must contain not less than one eligible resident board member.

(b) Resident board member no longer directly assisted. (1) A resident board member who ceases to be directly assisted by the public housing agency is no longer an ``eligible resident'' as defined in Sec. 964.410.

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(2) Such a board member may be removed from the PHA board for that cause, where such action is permitted under State or local law.

(3) Alternatively, the board member may be allowed to complete his/her current term as a member of the governing board. However, the board member may not be re-appointed (or re-elected) to the governing board for purposes of serving as the statutorily required resident board member.

(c) Minimum qualifications for board membership. Any generally applicable qualifications for board membership also apply to residents, unless the application of the requirements would result in the governing board not containing at least one eligible resident as a member. Further, PHAs and localities may not establish eligibility requirements for board membership that are solely applicable to residents.

Sec. 964.420 Resident board member may be elected.

(a) General. Residents directly assisted by a public housing agency may elect a resident board member if provided for in the public housing agency plan, adopted in accordance with 24 CFR part 903.

(b) Notice to residents. The public housing agency must provide residents with at least 30 days advance notice for nominations and elections. The notice should include a description of the election procedures, eligibility requirements, and dates of nominations and elections. Any election procedures devised by the public housing agency must facilitate fair elections.

Sec. 964.425 Small public housing agencies.

(a) General. The requirements of this **subpart** do not apply to any public housing agency that:

(1) Has less than 300 public housing units (or has no public housing units):

(2) Has provided reasonable notice to the resident advisory board of the opportunity for residents to serve on the governing board;

(3) Has not been notified of the intention of any resident to participate on the governing board within a reasonable time (which shall not be less than 30 days) of the resident advisory board receiving the notice described in paragraph (a)(3) of this section; and

(4) Repeats the requirements of paragraphs (a)(2) and (a)(3) of this section at least once every year.

(b) Public housing agencies that only administer Section 8 assistance. A public housing agency that has no public housing units, but administers Section 8 tenant-based assistance, is eligible for the

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exception described in paragraph (a) of this section, regardless of the number of Section 8 vouchers it administers.

(c) Failure to meet requirements for exception. A public housing agency that is otherwise eligible for the exception described in paragraphs (a) and (b) of this section, but does not meet the three conditions described in paragraphs (a)(2) through (a)(4) of this section, must comply with the requirements of this **subpart**.

Sec. 964.430 Nondiscrimination.

(a) Membership status.--(1) General. A resident board member is a full member of the governing board.

(2) Resident participation must include matters regarding Federal public housing and Section 8 tenant-based assistance. A resident board member must be allowed to take part in decisions related to the administration, operation, and management of Federal public housing programs and Section 8 tenant-based rental assistance programs. This rule does not extend to matters that:

(i) Exclusively relate to other types of housing assistance (such as State financed housing assistance); or

(ii) Do not involve housing assistance (as may occur where the city or county governing body also serves as the PHA board).

(3) Public housing agency may expand scope of resident participation. A public housing agency may choose to expand the scope of resident member involvement to matters not required under paragraph (a)(2) of this section.

(b) Residence status. A governing board may not prohibit any person from serving on the governing board because that person is a resident of a public housing project or is assisted under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

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(c) Conflict of interest. A governing board may not exclude any resident board member from participating in any matter before the governing board on the grounds that the resident board member's lease with the public housing agency, or the resident board member's status as a public housing resident or recipient of Section 8 tenant-based assistance, either results or may result in a conflict of interest, unless the matter is clearly applicable to the resident board member only in a personal capacity and applies uniquely to that member and not generally to residents or to a subcategory of residents.