

Resolution 2016-06:

**Approval of By-laws of the Resident Advisory Board
(RAB) of the Housing Authority of Champaign County**

RESOLUTION 2016-06

WHEREAS, the Housing Authority of Champaign County has a Resident Advisory Board (RAB); and,

WHEREAS, the RAB is to include both members of residents of the Housing Authority owned sites and recipients of the Housing Choice Voucher Program; and

WHEREAS, the RAB is to assist in communication between the Housing Authority Administration and the Residents in the programs; and

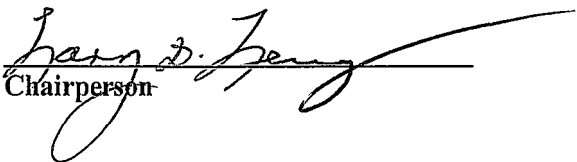
WHEREAS, the Resident Advisory Board has a set of By-laws that has been up-dated and approved by their officers; and

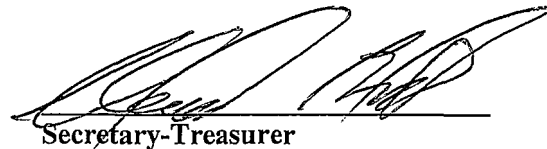
WHEREAS, the HACC wishes to have approval of the RAB By-laws by the Housing Authority of Champaign County Board of Commissioners; and,

WHEREAS, the By-laws will become effective February 25, 2016; and,

NOW, THEREFORE, BE, IT RESOLVED that the Board of Commissioners of the Housing Authority of Champaign County does hereby approve and adopt the Resident Advisory Board By-laws as reviewed by the Housing Authority's attorney.

Dated this 25th Day of February, 2016


Chairperson


Secretary-Treasurer

BY- LAWS

RESIDENT ADVISORY BOARD

These By-laws takes into consideration all parts of 24CFR964.

Article I - Name

The Name of this organization shall be Resident Advisory Board (RAB), hereinafter referred to as the **Board or RAB**

Article II - Membership

Section 2a - Membership requirements: (24CFR964.125)

To be a member of the **Board** a person

1. Must be a resident who is at least eighteen years of age
2. Or head of household (any age)
3. Whose name appears on the lease of a unit in public housing or Section 8.
4. And is in good standing with the Housing Authority.
 - a. No Lease Violations *within the last 6 months prior to the election date*
 - b. Does Not Owe Money to The PHA Unless a Payment Agreement Was Established, *within the last 6 months prior to the election date*

Section 2b -The primary responsibility of the membership (24CFR964.125)

The primary duty of a member is to participate in the democratic election of Board.

Section 2c - Membership as Volunteers (24CFR964.12)

Voluntary participation by the memberships is crucial for its success or the Board; therefore, the Board must find ways to include the membership in its decision-making process whenever possible. Participation by the membership as volunteers is a critical way to ensure the success of the Board; therefore, the appointment of all interested members to committees shall be a priority of the Board (i.e., subcommittees, community - City and/or Town).

Section 2d -Members may serve as commissioners (24CFR964.115)

Any member may serve as an Officer of the commission, if elected to the Board of Commissioners or by serving on any ad hoc or standing committees. Pursuant to the requirements of federal law, one (1) commissioner shall be a recipient of Housing Authority services.

- a) HACC shall notify resident of service of the office and term of resident board of commissioner and the process by which an eligible resident of service may be elected.
- b) An elected Resident shall serve a term of five (5) years, except for the first term, which will expire on July 31, _____. All subsequent terms shall be for five (5) years, expiring July 31st by another for the office of Commissioner.

- c) The Resident Advisory Board shall adopt procedures for the election of those persons eligible. The Resident Advisory Board shall notify the Housing Authority of the results of such election. The election shall be effective as of the date of notification.
- d) If a vacancy occurs in the term of an eligible resident board of commissioner, the replacement for that Commissioner shall be made by the County Board Chair, for the remainder of the term. The County Board Chair shall have the power to remove a resident Commissioner in the manner provided by the Housing Authority Act.

Article III - The Role, Purpose and Administration of the Council

Section 3a - Role of the Resident Advisory Board (24CFR964.105) - Jurisdiction-Wide
The roles of the Board are to improve the quality of life and resident satisfaction and participate in self-help initiatives to enable residents to create a positive living environment for residents living in public housing. The Board may actively participate through a working partnership with the PHA to advise and assist in all aspects of public housing operation. The RAB is comprised of Resident Councils coming together to represent the interests of residents residing in units under the HACC's jurisdiction.

Section 3b - PURPOSE (24CFR964.11/ 24CFR964.135)

The RAB's purpose is to establish:

1. And maintain a viable resident corporation representative of the residents who elect its officers and commission.
2. Act as a liaison between the housing authority and the resident councils to assure involvement and participation in the overall policy development and direction of PH operations.
3. Provide maximum supportive services and training for all residents who want them.
4. Inform residents of their rights and responsibilities under existing federal, state and local laws, as well as under the lease.
5. Receive official recognition from the PHA as a RAB pursuant to the HUD regulations 24CFR964.

Section 3c - The Office of the Board (24CFR964.18)

The Seal of the Corporation shall be in the form of a circle that shall bear the name of the Resident Corporation (The RAB) and the year of its incorporation. The RAB will submit an application for a FIN # and agree to pay the fee of incorporation each year.

Section 3d - The Office of the Council (24CFR964.18)

The office of the Council shall be at 205 West Park Avenue, Champaign, IL. 61820-3928

Article IV - The Terms and Election of Officers (2-year term)

To insure consistency, Board members' terms should be every three years at the same time if feasible. 24CFR964.130

Section 4a - The Number of Officers of the Board (24CFR964.115) (minimum of 5)
The RAB shall consist of five voting Officers.

Section 4b - The Officers of the Council

The Officers shall consist of a:

1. Chair
2. Vice-Chair
3. Treasurer
4. Secretary
5. Sergeant of Arms/Chaplain

Section 4c - Eligibility to participate as an Officer (24CFR964.125)

To be eligible to participate as an officer, a resident must meet the requirements of **Article II - Membership**.

Section 4d - Resignation

Officers may resign at any time after delivering a written resignation to the President of the Council.

Section 4e - Removal/Recall

A delegate may be recalled by a 2/3 vote of the Board members present at a meeting for cause, including conviction of a felony or malfeasance (misconduct or wrongdoing, especially by a public official) or termination of their lease; and placed before the membership in a special election where at least 10% of the entire Board.

Section 4h - Vacancies

In those instances where there are two or more vacancies occurring on the Board there shall be a special election, but not when there is less than 6 months left in the term of the remaining Officers

Section 4i - Elections (See Article VIII and 24CFR964.130)

1. Interested members will write their names on a Nomination Petition **one or two** meetings prior to the meeting date the election will be held on. Also, during this time, members will have the chance to nominate someone else if they choose. (Members shall nominate themselves).
2. On the day of the election, the names will be *posted* on the Ballot forms. Each member will receive a ballot form. Upon completion of the Ballot, the member will place the ballot in a sealed Ballot Box.
3. A Third Party Official (City Council, League of Women Voters, etc.) will count the votes and submit the results immediately.

Section 4j - PHA Monitoring (24CFR964.18)

The Public Housing Authority shall monitor the activities of the RAB including the election process. Additionally, the PHA shall establish policies and procedures to appeal any adverse decision relating to failure to conform to 24CFR964's minimum standards. Such appeal shall be submitted to a jointly selected third-party arbitrator. If costs are incurred by using a third-party arbitrator, then such costs should be covered by the PHA resident services funds pursuant to 24CFR 964.150.

Section 4k - MOU/POLICY (24CFR964.18 a (10))

The RAB and the PHA shall develop a partnership agreement, setting forth cooperative means of setting goals and processes for achieving them. The agreement and activities should be described in a Memorandum of Understanding (MOU), reviewed once a year (During request for Tenant Service Funds - TSF).

Article V - The Meeting

Section 5a - Regular, Special or Emergency Meetings

All meetings shall be conducted as prescribed in these by-laws. The purpose of the meetings is to conduct the business of the Board in an open forum as prescribed by these by-laws. Meetings shall be regular and frequent and open to the membership. 24CFR964.125

Section 5b - Notice of Meetings

(1) Every meeting shall be given a public notice of the schedule of a Regular, Special or Emergency meeting. These meetings dates, times, and places, when known, shall be prominently displayed on boards and the management office.

(2) Each Regular meeting shall be posted at the beginning of each calendar year, or fiscal year. The agenda for a regular meeting shall be posted no later than 1-week before such a meeting is to occur.

(3) All special meetings or any rescheduled regular meeting, or any reconvened meetings, shall include the posting of an agenda for the meeting. Reconvened meeting rules do not apply where

(1) It is to be reconvened within 48-hours, or

(2) An announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda.

(4) Notice of an emergency meeting shall be given as soon as practicable, but in any event prior to the holding of such meeting which shall include the agenda.

Section 5c - Annual Meeting

The purpose of the annual meeting is to conduct a review of the By-laws and evaluate the performance of the Board. Regular business of the Board may not be conducted during an annual meeting. The annual meeting may take the place of a regular meeting but must be advertised as an annual meeting where the regular business of

the corporation will not be conducted. All postings are required as if it were a regular meeting.

An annual meeting shall take place within 4 months of the end of the RAB's Fiscal Year (4/1 thru 3/31)

1. Annual Reports

The Chair shall present, at each annual meeting of the members of the Board, an annual report of the Board's activities during the preceding fiscal year. It shall also present such reports as may be required by the PHA or any other funding agency. The annual report shall include a detailed financial statement (TSF) of the costs incurred and funds received by the Board and during the preceding fiscal year. It also presents a brief summary of plans for the coming year.

Section 5d - Regular Meeting

The purpose of the regular meeting is to conduct the business of the Board: To gather information, conduct business, pass appropriate policy in an open forum, and other duties if requested.

Section 5e - Other Meetings

The purpose of other meetings (special, reconvened, or emergency) is to conduct the business of the Board where additional time or an emergency is declared by the Chair or two or more Board members shall call for a meeting to conduct informational meetings and pass policy. An agenda shall be made and with notification made per 3b of this Article and no other item of business may be conducted.

Section 5f - Call to a Meeting

The annual and all regularly scheduled meetings of the Board shall be on the **SECOND THURSDAY** of **EVERY MONTH** beginning in January at 2:00pm at the **HACC** or at such other place as previously approved by the Board. A notice shall be made and displayed in the management office giving the dates, time and agenda of such meetings. Should this time be affected by a holiday, a new date shall be established before the schedule is finalized. The Board shall pass, by resolution, the schedule before the beginning of its fiscal year of all regular meetings.

Section 5h - Quorum

A quorum shall require a majority of the Officers of the Board to be present at the meeting.

Section 5i - Voting

The voting on all questions coming before the Board shall be by roll call with the yeas and nays entered upon the minutes of the meeting.

Section 5j - Minutes

(A) A recording of all meetings of the Board shall be kept. The minutes shall be written to minimally include:

- (1) the date, time and place of the meeting
- (2) the members of the public body recorded as either present or absent
- (3) a general description of all matters proposed, discussed or decided
- (4) a record of any votes taken

(B) The minutes of meetings shall be available for public inspection within seven days of the approval of such minutes by the Board.

Section 5k - Attendance

Any delegate whom misses four (4) regular meetings of the Board consecutively without an excuse satisfactory to the Board automatically relinquishes her/his position as a delegate.

Article VI - The Officers

All majority votes of the Board Members present, at a meeting where there is determined to be a quorum shall be final. The officers of the Board shall be the Chair, Vice-Chair, Secretary, Treasurer, and Sergeant of Arms.

Section 6a - The Board

The Board shall be formed from the elected representative of the Resident Councils. It shall be formed as a Non-Profit Corporation with all the rights, privileges, and liabilities of a corporate entity.

Section 6b - The Chair's Duties

While these responsibilities may be delegated, the Chair has oversight responsibility to make sure that all obligations are met.

1. The Chair shall preside at all meetings.
2. In the absence of the Chairperson, any officer may preside in the following order:
 - a. Vice-Chair
 - b. Treasurer
 - c. Secretary
3. Co-sign all drafts and checks drawn on the Board's banking account.
4. Co-sign all contracts, deeds, and other instruments between the Board and outside entities as authorized, by resolution, by the Board.
5. Appoint an auditing committee.
6. The Chair shall be the official Spokesperson and Representative of the Board.
7. Keeping speakers on subject at hand
8. Conduct all meetings in an orderly manner.

9. Responsible for assuring that all the terms and conditions of these by-laws and addenda are carried out.
10. The Chair shall have the responsibility for establishing and posting meetings giving the place, time, location and agenda for each regular, special, or emergency meeting.
11. The Chair shall enforce the Board's approved rules of governance in all cases.
12. The Chair shall see to it that all actions taken by the Board at meetings adhere to appropriate state laws, contracts, and agreements to the best of his or her knowledge.
13. The Chair shall submit all recommendations and information deemed necessary concerning the business affairs and policies of the Board at each meeting.

Section 6c - The Vice-Chair Duties

1. The Vice-President performs all duties of the Chair in his or her absence.
2. Enforce constitution and By-Laws.
3. In the case of the resignation or death of the Chair, the Vice-Chair will become the Chair to fill out the Chair's term and shall have all duties stated under Section 6b of this Article.
4. In the case of a long-term absence or vacancy by the Chair, and/or with a resolution by the Board, the Vice-Chair may assume the Chair's duties until the Chair is able to return to duty or is no longer able to serve.

Section 6d - Treasurer Duties

1. The Treasurer shall have care and custody of all funds of the Board and shall deposit the same in the name of the Board in such banks or institutions as may be deemed necessary.
2. The Treasurer shall keep books of accounts showing receipts and expenditures and shall provide information concerning the financial condition compared with the operating budget of all funded programs of the corporation.
3. Co-sign all drafts and checks drawn on the Board's banking account.

Section 6e- Secretary Duties

1. The Secretary shall be the officially elected officer who is responsible for maintaining all books, records and documents for the Board.
2. The Secretary shall be responsible for all reporting of the Board's actions (i.e. votes) at a meeting, and assure that these reports are timely and complete.
3. The Secretary shall keep the minutes, resolutions, and policies of the Board in bound booklets, as the Board passes them.
4. Keeps accurate attendance records (notifies the Board of members who missed four (4) consecutive regular meetings).

Section 6f - Sergeant of Arms

1. The purpose of the Sergeant of Arms is to enforce the rules of these By-laws at all meetings and assure the smooth operation of a meeting to the membership attending with no interruptions in meetings of the Board but only in cooperation with the Chair.
2. At no time will the Sergeant of Arms take personal action regarding any person interrupting a meeting by the removal of that individual from the meeting without
 - a. The approval of the Chair
 - b. In all cases, shall call the police or other security officials to remove individuals interrupting the meeting as declared out of order by the Chair.
3. The Sergeant of Arms is responsible for breaking the tie during votes.

Article VII - Other Provisions

Section 7a - Amending the by-laws

Amendments to the by-laws shall be made in a fully authorized meeting with a quorum present and voting to approve the amendment. All Board Members shall be given a copy of the amendment at least seven days prior to the day they are to meet to discuss and/or pass the amendment.

Section 7b - Addenda to the by-laws

An addendum is attached to the by-laws and holds the full force and intent of the by-laws. All Board Members, staff, and contractors are subject to these provisions.

Section 7c - Posting of the by-laws

These by-laws and addenda shall be posted in part or in whole with the notice for annual and regular meetings.

Section 7d - Annual review of the by-laws

The by-laws and addenda will be part of the Chair's package for the annual meeting. The review of such will be an agenda item for discussion at the annual meeting of the Board Members. The Board shall review the requirements of the by-laws and addenda.

Section 7e - Contracts for Services and Programs

All individuals or corporations doing business with the Board shall have a written contract signed and dated by the Chair and one other Board Member, pursuant to the approved procurement policy.

Section 7g - Audit

Within 4 months of the end of the fiscal year, all books and records shall be audited.
REVIEW POLICY.

Section 8g - Stipend Checks (Monthly)

Only *ELECTED* and/or *APPOINTED/NOMINATED* RAB DELEGATES/ALTERNATES will receive stipends in the amount of \$15 for attending the RAB monthly meetings. Alternates will only receive a stipend check when they attend a meeting in the absence of the elected/appointed/nominated delegates. A "STIPEND FORM" will be available for signatures at every meeting. It is up to the delegates to sign the form. If the form is not signed before being delivered to the Accounting Department, a check will not be distributed.

Appendix A
Notice of the Resident Advisory Board Election

Election Day will be held on _____

For Position(s) of:

❖ Chair ❖ Vice-Chair ❖ Treasurer ❖ Secretary ❖ Sergeant of Arms

This notice comes to you because of the RAB By-laws which require notification of an election. These By-laws are the rules that the RAB operate by in its corporate procedures for operation. The RAB has determined that the above seat(s) will become available and that any *eligible* resident on the BOARD may run for one of them. See eligibility below. These positions are important because they determine the future of the programs offered to you by your RAB.

The Elections will be a stepped process leading to the election of your Developments representatives on the RAB. The purpose of the RAB is to represent all of the residents in Public Housing and to provide leadership to the residents in all matters concerning their living environment. The RAB is also responsible for coordinating any activities with outside organizations in cooperation with the PHA.

Below is the election process that will be followed by the election committee in this election process:

1. Interested members will write their names on a Nomination Petition **one or two** meetings prior to the meeting date the election will be held on. Also,

during this time, members will have the chance to nominate someone else if they choose. (Members shall nominate themselves).

2. On the day of the election, the names will *posted* on the Ballot forms. Each interested officer will have a few minutes to convey to the attendees their reasons for running for a position (DEBATE). Each member will receive a ballot form. Upon completion of the Ballot, the member will place the ballot in a sealed Ballot Box.
3. A Third Party Official (City Council, League of Women Voters, etc.) will count the votes and submit the results immediately.

A. Residents in **good standing** with the HACC (No Lease Violations/No Past Due Amount, unless a Payment Agreement was established, within the last 6 months prior to the election date).

B. Lives in Public Housing or on any assisted housing programs (Section-8)

C. Must be 18 years or older or the head of household to sign your petition

D. Must be on the lease

Appendix B

Nominating Petition

~~PLEASE READ EVERYTHING CAREFULLY~~

Choose One:

I, _____, declare my candidacy for the position checked below.
(PRINT Candidate's Full Name)

I nominated _____ for the position below.
(PRINT Candidate's Full Name)

Check ONE Box Below:

~~Chair _____, Vice-Chair _____, Treasurer _____, Secretary _____, Sergeant of Arms _____~~

A. A resident in **good standing** with the HACC. (No Lease Violations/No Past Due Amount, unless a Payment Agreement was established, within the last 6 months prior to the election date).

B. You must be 18 years or older to sign this petition or a head of household

C. Your name must be listed on a resident lease.

Thank you for your support of my candidacy.

NOTE: To sign this petition you are simply saying that you support the above individual to run in the next RAB election. It does not necessarily mean that you support this individual. It is only to put this individual's name on the ballot.

Appendix C Sample Ballot

OPEN BALLOT

-Write In Candidates-

▶ RESIDENT ADVISORY BOARD
COMMITTEE

DATE: _____ -2P-

BOARD CHAIR CANDIDATES

▶ _____
▶ _____

VICE CHAIR CANDIDATES

▶ _____
▶ _____

SECRETARIAL CANDIDATES

▶ _____

OPEN BALLOT

-Write In Candidates-

▶ RESIDENT ADVISORY BOARD
COMMITTEE

DATE: _____ -2P-

BOARD CHAIR CANDIDATES

▶ _____
▶ _____

VICE CHAIR CANDIDATES

▶ _____
▶ _____

SECRETARIAL CANDIDATES

▶ _____

▶ _____

TREASURER CANDIDATES

▶ _____

▶ _____

SERGEANT-AT-ARMS

▶ _____

▶ _____

▶ _____

TREASURER CANDIDATES

▶ _____

▶ _____

SERGEANT-AT-ARMS

▶ _____

▶ _____

Fold and place ballot into ballot box
Thanks for your vote!