



Resident Organizing and Participation

Bridgett Simmons

Staff Attorney

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(Please switch to polling)

Have you worked with a Tenant Group?

- Yes
- No
- Sort Of

Which HUD Housing Programs Include Explicit Organizing Protections?

- Public Housing and Housing Choice Vouchers
- Public Housing and Project-Based Rental Assistance
- Housing Choice Vouchers and Project-Based Rental Assistance
- Public Housing, Housing Choice Vouchers, Project-Based Rental Assistance

(Please switch to polling)

Have You Previously Worked With a Tenant Organizer?

- Yes
- No
- Sort Of

Tenant organizing is _____ ?

What is Tenant Participation? What is Tenant Organizing?

Participation v. Organizing

Tenant Participation

- Term Used in PH Program
- Collective Effort
- Baked into Processes
- On issues regarding the quality of life, resident satisfaction, and self-help initiatives

Tenant Organizing

- Term Used in PBRA Programs
- Collective Effort
- Not Baked into Processes
- On issues regarding the quality of life, resident satisfaction, and self-help initiatives

PH Tenant Participation

Tenant Participation in Public Housing

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“HUD promotes resident participation and the active involvement of residents **in all aspects of a HA's overall mission and operation**. Residents have a right to organize and elect a resident council to represent their interests. As long as proper procedures are followed, the HA shall recognize the duly elected resident council to **participate fully through a working relationship with the HA**. HUD encourages HAs and residents to work together to determine the most appropriate ways to foster constructive relationships, particularly through duly-elected resident councils.”

24 CFR 964.11

PBRA Resident Right to Organize

Resident Organizing in PBRA

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“The purpose of this part is to recognize the importance and benefits of cooperation and **participation of tenants in creating** a suitable living environment in multifamily housing projects and in **contributing to the successful operation of such projects**, including their good physical condition, proper maintenance, security, energy efficiency, and control of operating costs.”

24 CFR 245.5



Resident Councils

Tenant Participation in Public Housing

- Can represent a specific property or jurisdiction-wide
- Created by PH Tenants with support from PHA
 - Tenant Participation Funds
- Organization must have:
 - A written policy for the election and recall of council leadership
 - A democratically elected governing board that is elected by the voting membership
 - At least five elected board members
- Membership Eligibility
 - Public Housing resident on the lease
 - Meets By-laws requirements
 - Voting member– head of household and other members of household (18+)
- Appoints members to the Resident Advisory Board(s)
- Can form partnerships with outside organizations
- [24 CFR 946.135](#) lists “protected activities”

“Legitimate Tenant Organizations”

Resident Organizing in PBRA

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- A tenant organization is “legitimate” if:
 - It has been established by the tenants of a multifamily housing project covered under 24 § 245.10 for the purpose described in § 245.100,
 - Meets regularly,
 - Operates democratically,
 - Is representative of all residents in the development, and
 - Is completely independent of owners, management, and their representatives

[24 CFR 245.110](#)
- The definition of legitimate tenant organization includes “organizing committees” and does not require specific structures, written by-laws, elections, or resident petitions (HUD Notice 2016-05)
- [24 CFR 245. 115](#) lists “protected activities”

Enforcement of Organizing Rights

Tenant Participation in Public Housing

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- Administrative and Judicial Enforcement
 - Informal Appeal/Administrative Complaint to HUD
 - Enforcement Through Judicial System is Limited
- Third-party Arbitration of Disputes
- HUD has not Consistently Enforced

Enforcement of Organizing Rights

Resident Organizing in PBRA

- Owners and their agents who interfere with these rights may be liable for **sanctions** under 24 CFR part 245
 - Debarment
 - Suspension
 - Limited Participation
 - Civil Money Penalties
- Enforcement Process
 - A tenant or tenant organization files a written complaint with HUD
 - May choose to participate in mediation with the owner
 - HUD Investigates the claims
 - HUD renders a written decision and takes enforcement action, if necessary

Panelist

- **Michael Kane**, Executive Director, [National Alliance of HUD Tenants](#)
- **Regina Mays**, Tenant Advocate, [Durham CAN](#)
- **Sharon Sherman**, Executive Director, [Greater Syracuse Tenants Network](#)

Questions?



Bridgett Simmons, bsimmons@nhlp.org, 415-546-7000 ext. 3109