

Amended Bylaws for the Resident Advisory Board for the Boston Housing Authority

(incorporating amendments through ~~August~~November 2022)

Introduction

These Bylaws were approved by the Resident Advisory Board (RAB) for the Boston Housing Authority (BHA) originally in the spring of 2003, and were last revised in ~~August~~November 2022, and are to be used in conjunction with the current operation of the RAB, the election of the RAB for the term running from 2023 forward, and for the future operation of the RAB following such elections. These Bylaws are subject to future revision as may be approved by RAB and/or as may be required to comply with federal requirements for the RAB.

I. Purpose, Composition, and Selection of RAB

- A. *Purpose:* The Boston Housing Authority (BHA) shall establish a Resident Advisory Board (RAB), the membership of which shall adequately reflect and represent the residents assisted by the BHA. The RAB shall assist and make recommendations regarding the development of the public housing agency plans for the BHA and the development and implementation of the Assessment of Fair Housing for the BHA. The BHA shall consider the recommendations of the RAB in preparing the final public housing agency plans and any amendments to the same, and shall include, in the public housing agency plan submitted to the U.S. Department of Housing and Urban Development (HUD) or to the Commonwealth's Department of Housing and Community Development (DHCD), a copy of the recommendations and a description of the manner in which the recommendations were addressed.
- B. *RAB Representatives:* The RAB shall consist of thirty (30) members, selected in equal numbers from three constituencies at the BHA.
 - i. Ten (10) shall be residents from BHA's elderly/disabled public housing developments and be elected by representatives of local tenant organizations (LTOs) for BHA's elderly/disabled public housing developments. Where a development was previously elderly/disabled public housing and was converted, in whole or in part, to other forms of subsidy, it shall still be considered BHA elderly/disabled public housing for the purpose of RAB representation.
 - ii. Ten (10) shall be residents from BHA's family public housing developments and be elected by representatives of LTOs for

BHA's family public housing developments. Where a development was previously family public housing and was converted, in whole or in part, to other forms of subsidy, it shall still be considered BHA family public housing for the purpose of RAB representation.

- iii. Ten (10) shall be participants in BHA's Leased Housing programs, including Mass. Rental Voucher Program (MRVP) or Section 8 tenant-based or project-based programs and be elected by BHA Leased Housing participants who participate in the election. BHA Leased Housing Units within a development that was formerly BHA family public housing or elderly/disabled public housing will still be treated as public housing units for the purpose of RAB representation, as outlined above.

(Attachment #1 lists the public housing and mixed finance developments and which Public Housing elections they are eligible to vote in.) The twenty (20) RAB members elected by the LTO's of the BHA's family and elderly/disabled developments shall be referred to as the "Public Housing Representatives" and the ten (10) RAB members elected by BHA Leased Housing participants shall be referred to as the "Leased Housing Representatives". In addition, the cumulative thirty (30) RAB members elected by LTO representatives of the BHA's family and elderly/disabled developments and by BHA Leased Housing participants shall be referred to as the "RAB Representatives" or "RAB Members".

BHA family public housing residents, BHA elderly/disabled residents, and BHA Leased Housing participants (as defined above) shall be referred to as the "three (3) constituencies".

- C. *RAB Alternates*: There shall be no more than thirty (30) Alternates ("Alternates") selected through RAB elections (or later appointed by the RAB, as described below) from three constituencies at the BHA detailed in Section I.B. There may be less than thirty (30) Alternates, but no more than ten (10) Alternates shall be residents from any of one of the three constituencies, i.e., (1) BHA's elderly/disabled public housing developments, (2) BHA's family public housing developments, (3) BHA's Leased Housing programs. Alternates are encouraged to attend RAB meetings and to participate in RAB discussions and committees. Alternates shall also be free to vote if the full number of regular RAB representatives from their constituency (i.e., family public

housing, elderly/disabled public housing, or Leased Housing participant) are not in attendance at the RAB meeting. In the event that a combination of more than ten (10) RAB Representatives and Alternates are present for a constituency, only those Alternates in order who bring the constituency's voting total up to ten (10) will be permitted to vote.

- D. *Non-Discrimination*: It is the policy of the RAB to comply fully with existing Federal and State laws protecting the individual rights of applicants, residents, or staff and any laws subsequently enacted. The RAB shall not operate in any manner that will discriminate against an individual on the basis of race, color, sex, sexual orientation, religion, age, handicap, disability, national origin, ethnicity, familial status, or marital status.
- E. *Term of the RAB; Extension*: Each elected RAB shall have a three-year term. The RAB may, in its third year, elect by majority vote to extend its term by one additional year for good cause. Each RAB Representative and Alternate shall serve until the completion of the next RAB election, unless the Representative or Alternate otherwise withdraws or is removed from the RAB in accordance with these Bylaws. Elections for the RAB shall occur prior to August 1 of the year in which the RAB's term expires, except as provided below.

There may be circumstances in which RAB elections are delayed due to the need for additional time to secure an agency to supervise the elections and/or provide sufficient outreach and notices to LTOs, BHA public housing residents, and BHA Leased Housing participants. Any such delay must be authorized by a majority RAB vote which shall indicate the deadline for completion of elections.

Because of the outbreak of the COVID-19 pandemic in 2020, the RAB was unable to conduct the election that was to take place that year. BHA and the RAB will determine when it is possible to do new RAB elections; in the meantime, the RAB will operate with the RAB elected in 2016, with filing of vacancies in member and alternate positions as otherwise provided in these bylaws for the periods in between RAB elections.

F. *RAB Nomination and Election Process*: There shall be three separate RAB nomination and election processes—one for Family Public Housing Representatives (and Alternates), one for Elderly/Disabled Public Housing Representatives (and Alternates), and one for Leased Housing Representatives (and Alternates). There shall be information meetings for each constituency, a nomination process which may include an in person option or via mail/email with a deadline after each information meeting, and a process for voting on the nominees who are otherwise eligible. BHA public housing tenants and LTOs will be notified of the date of each public housing information meetings and the opportunity to submit nominations for their constituencies. Recognized or conditionally recognized LTOs shall each designate up to three persons to be the ones to elect the RAB Public Housing Representatives. The LTO designated representatives will receive the final nominations for their constituencies either in person or via mail/email and a ballot in a form to be determined by the RAB election committee to select the RAB Public Housing Representatives. BHA Leased Housing participants (except for those living in developments that were formerly BHA public housing sites, who can participate in the public housing elections) will receive notice of the information meeting, an opportunity to submit nominations, and the final nominations either in person or via mail/email for their constituency with a ballot in a form to be determined by the RAB election committee to select the RAB Leased Housing Representatives. This process can be done in person or by a combination of remote or telephonic conference and via mail/email, depending on what may be determined by the RAB for each election. The RAB may require that persons wishing to attend information or election meetings in person provide proof of COVID-19 vaccination and certification that such persons are not currently COVID-positive (or such additional information as may be required if persons were recently COVID-positive or were in proximity to COVID-positive persons as may be established) and meet mask and social distancing protocols; nominations, however, can be considered even if the person is not in attendance.

G. *Oversight of Election; Outreach*: The elections shall be supervised by an organization or individual(s) selected by the RAB and the BHA for that purpose, with assistance from the BHA. In addition, the RAB and the BHA may select one or more organizations or individuals to assist with outreach and recruitment of residents/participants to be elected to the RAB. Notice shall be sent by

such organization(s) or individual(s) to all BHA recognized or conditionally recognized LTOs and shall be directed to all LTO Board members listed with the BHA, advising each LTO to designate its representatives to vote in the Public Housing elections. Each LTO's representatives will be required to present documentation prior to receipt of a ballot or notice to participate in an election meeting that they have been duly authorized by their LTO to act on its behalf in the election; this may consist of a written statement signed by the LTO chairperson or one or more persons who are listed with the BHA as members of the Board of Directors for the LTO, indicating that the representative is so authorized and that this action reflects the majority sentiment of the Board members voting after proper notice. Only authorized LTO representatives may elect residents to serve as RAB Public Housing Representatives. The LTO representatives must submit ballots either at an election meeting or by the deadline established by the organization or individual(s) overseeing the election, and in the proper form, for the ballot to count.

- H. *Nominations:* Family public housing residents may nominate family residents to serve as RAB Representatives/Alternates). Elderly/Disabled public housing residents may nominate elderly/disabled residents to serve as RAB Representatives/Alternates. Leased Housing participants may nominate Leased Housing participants to serve as RAB Representatives/Alternates. Residents or participants may nominate themselves or others, provided the person is willing to serve and accepts the nomination in person (or in virtual session) or signs a statement that they meet RAB requirements and are willing to serve if elected. Each nomination may include a statement (if written not to exceed 200 words and if spoken not exceed two minutes) about why the nominee is interested in serving on the RAB (including experience and what they would bring to the Board) and certifying that the person understands what the obligations of a RAB member are. The organization or individual(s) assisting with the election may assist nominees in drafting their statements. Public Housing nominees need not be LTO Board or committee members nor do they have to be nominated by the LTO representatives from their development.
- I. *Generating Ballots:* After the nomination period has passed, the organization or /individual(s) selected to oversee the election shall compile the nominations received, verify that the individuals are

interested in serving and meet RAB eligibility criteria. For the Public Housing elections, the organization or individual(s) shall compile a ballot and all of the nomination information for the LTO designated representatives from the respective constituency. On each ballot, no more than 10 names can be selected, and no name can be checked more than once. The ten (10) people with the most votes that reside in family public housing shall become RAB Family Public Housing Representatives. The ten (10) people with the most votes that reside in elderly/disabled public housing shall become RAB Elderly/Disabled Public Housing Representatives. However, if a particular development has more than one vote-getter, see the rules below (intended to insure that as many BHA developments as possible get representation on the RAB before any particular development gets more than one RAB representative).

For Leased Housing elections, a similar process will be followed to compile the nominations received and to verify that the nominees are willing to serve, and meet RAB eligibility criteria, and those overseeing the election shall compile a ballot and all of the nomination information for those Leased Housing participants participating in the election (either virtually or in person). The organization or individuals may ask that Leased Housing participants indicate an interest in participating in the election before they are mailed ballots or invited to the meeting to avoid excessive costs. The organization or individual(s) overseeing the election shall either have an election meeting or set a deadline for interested Leased Housing participants to return their ballots. On each ballot, no more than 10 names can be elected, and no name can be checked more than once. The ten (10) Leased Housing participants with the most votes shall become Leased Housing Representatives. However, if a particular site has more than one vote-getter, see Section I. L, below.

- J. *Breaking Ties When It Would Affect Representative Status:* If in any constituency's election there are two or more RAB nominees with an equal number of votes and Member slots are filled so that not all such nominees can be Members, and filling of the slot cannot otherwise be determined under Section I.L of these Bylaws, those nominees shall decide between them which position each will fill. In the event this is not possible, the others elected to the RAB from that constituency shall decide this by majority vote at the first meeting of the newly convened RAB.

- K. *Filling of Alternate Slots Once Member Slots Are Filled:* The nominees who receive the 11th through 20th most votes that live in family public housing shall become RAB Alternates for the family developments. The nominees who receive the 11th through 20th most votes that live in elderly/disabled public housing shall become RAB Alternates for the elderly/disabled developments. The nominees who receive the 11th through 20th most votes that live in Leased Housing shall become RAB Alternates for Leased Housing. The order of most votes received from 11th through 20th will determine their position among alternates. The nominee who finishes the voting with the 11th most votes will become the First Alternate, 12th most will become Second Alternate and so on to the nominee with 20th most votes will become the Tenth Alternate. The order of alternates described above shall only be used to determine which alternate should become a RAB Representative if a RAB Representative should for any reason be unable to complete his/her term or is removed from the RAB Board. No Alternate shall be eligible to become a RAB Representative unless s/he meets the minimum attendance expectations set forth in these Bylaws.
- L. *No Development/Site to Have More Than One Representative Unless Other Developments/Site Have First Had An Opportunity:* No individual public housing development or Leased Housing site may have more than one Representative elected to the RAB, unless there are less than ten nominees, in which case a second individual may be elected to the RAB from a development/site so that the ten slots are filled. However, an individual may serve as an Alternate if there is already an elected RAB Representative elected from that same development/site. To carry out this provision, the individual from a development/site with the most votes will be the RAB representative, and if there is a second individual from the development/site with less votes, that person will automatically be an Alternate, even if that individual was among those receiving the 2nd through 10th most votes, and the top vote getter among the persons who would otherwise be Alternates will be the Representative. For cases where second individuals were nominated because there was initially an insufficient number of nominees to fill the 10 slots, and more than one development/site submitted a second nominee, Representative and Alternate slots will be assigned in order of vote total to those second nominees after all of the Representative slots for developments/sites with one nominee have been filled.

M. *General Selection Principles; Eligibility Criteria for RAB:* RAB Representatives and Alternates, if any, serve as Representatives for all BHA public housing and Leased Housing programs, and not just their own development/program. In addition, those participating in nominations and elections shall recognize that the RAB Representatives and Alternates should be from a broad cross-section, representing the diversity of groups and subsidy types in public and assisted housing (race, ethnicity, gender, disability, etc.) and spread geographically. In addition, in order to be elected to the RAB or serve as an Alternate, and to be eligible to continue to serve on the RAB, each Representative and Alternate must meet the following eligibility criteria:

a. Be willing to participate in training and orientation as a RAB Representative/Alternate.

b. Agree to abide by these Bylaws and not owe funds to the RAB or be in violation of BHA's Anti-Harassment Policy.

c. Be willing to attend regular RAB meetings. The RAB ordinarily meets on a monthly basis, but from time to time may meet more frequently. Representatives who fail to attend three or more consecutive RAB meetings without notice to the RAB co-chairs with "good cause" for non-attendance, or who fail to attend at least six meetings in a 12-month period except for Board approved leaves of absence, may be removed from the RAB by a majority vote of the RAB provided there is a quorum as described in Section IV. Representatives who are so removed may be placed at the end of the alternate list, at the Board's discretion.

Alternates are not required to attend all RAB meetings. However, Alternates are expected to attend at least four RAB meetings a year. If an Alternate does not meet this minimum attendance requirement, then the Alternate shall not be eligible to move up to a Representative slot in the case of a vacancy. An Alternate who fails to meet minimum attendance requirements and fails to respond to a written inquiry from the Board about whether he or she wishes to continue participation shall also be removed from his/her alternate position.

d. Be willing to work collaboratively with other RAB Representatives and Alternates and the BHA in reviewing and commenting on BHA policies, procedures, and decisions that are part of the Public Housing Agency (PHA) Plans and any amendments to the Plans.

e. Be willing to be an active participant in a RAB committee.

f. Be either a Boston Housing Authority public housing resident or BHA Leased Housing participant. All RAB Representatives/ Alternates shall communicate to their public housing, mixed finance, or Leased Housing communities concerns/issues that have been discussed at RAB meetings, and shall relay issues/concerns of their developments/communities to the RAB.

g. Not serve as a RAB Representative or Alternate while he or she or any household member is employed in a supervisory, policy, or decision-making position by the BHA or by a private company or entity owning or managing housing for the BHA, due to the potential for conflict. Such provision shall not bar a person from serving on the RAB if they or household members are hired in a non-supervisory, non-policy, non-decision-making position by the BHA or such a private company, such as in maintenance, resident coordinator, administrative assistant, or similar position or as a BHA employee for the Resident Empowerment Coalition. In addition, any potential for conflict of interest due to a personal or business relationship by the person or a household member with other individuals employed by the BHA or private companies owning or managing housing for the BHA should be disclosed during the process of being elected or appointed to the RAB, and RAB Representatives or Alternates should recuse themselves from voting on matters which may involve a direct personal conflict for them or household members (for example, voting to recommend that BHA contract with the resident's employer).

h. Be willing to share contact information including name, address, telephone number and (as applicable) e-mail address with all RAB Representatives and Alternates, as well as the BHA liaison and contact persons at groups designated to work with

the RAB.. This contact information shall not be utilized for any purposes other than official RAB business. Email and other communications to RAB Representatives, Alternates, and those working with the RAB shall be respectful and courteous.

i. Be eighteen (18) years of age or older or, if younger, an emancipated head of household as recognized by BHA.

Except as provided below, Public Housing Representatives and Alternates who move out of BHA public housing shall no longer be eligible to participate in the RAB. RAB Leased Housing Representatives and Alternates who have temporarily relocated and/or are no longer under a Leased Housing subsidy contract may still be eligible to remain on the RAB so long as they are still eligible to participate in the BHA Leased Housing program. RAB Representatives or Alternates who have transferred from one program to another but are still under BHA auspices (for example, a public housing tenant transferring to a Leased Housing unit, or vice-versa) remain eligible and shall continue to represent the constituency for which they were elected until the end of the term.

RAB Representatives and Alternates, if any, who become employed, or have household members who are employed, in a supervisory, policy, or decision-making position by the BHA or a private company or entity owning or managing housing for the BHA, shall immediately no longer be eligible to participate in the RAB and their vacancy shall be filled in accordance with Section V of these Bylaws.

If a RAB Representative or Alternate has been removed from the RAB pursuant to Section V.E of the Bylaws for reasons other than non-attendance, such person shall not be eligible for future election or appointment to the RAB.

II. First Meeting After Election; Selection of Officers for the RAB

A first meeting of the RAB shall be scheduled shortly after the election, based on a schedule established jointly by the BHA and the prior RAB. At this meeting, a schedule shall be established for future RAB meetings and for orientation/training of RAB Representatives and Alternates, Officers will be elected as provided below, and a separate orientation/training for Officers and

Assistant Officers, with participation by BHA and other agencies as needed. Officers and Assistant Officers shall only be eligible to serve if they are in good standing as defined in Section III.B and are willing to participate and have participated in the separate orientation/training for Officers and Assistant Officers. Orientation/ training sessions shall be scheduled flexibly so as to accommodate the needs of RAB members, are open to any Representatives or Alternates who wish to participate, and may be set for more than one date or time if necessary.

The Officers listed in subsections A, B, and C shall be elected from among the RAB Representatives by the RAB Representatives (and Alternates where Alternates are permitted to vote). The Assistant Officers listed in subsection D shall be elected from among the RAB Representatives and Alternates by the RAB Representatives (and Alternates where Alternates are permitted to vote).

In the election of Co-Chairs, the Treasurer, and the Secretary after the initial year of the RAB's term, there will be a preference for candidates who meet the minimum attendance requirement for RAB Representatives, and if one or more candidates meet those requirements, there will be no nominations accepted for those who do not meet those requirements. If there are no such candidates, then other Representatives may be nominated. (This could occur, for example, if an Alternate recently moved into a Representative position, and had met the minimum alternate attendance requirement but had not yet attained the higher attendance requirement for Representatives to remain on the RAB.)

A. Co-Chairs

Three co-chairs shall be elected by the RAB Representatives of each of the constituencies (and Alternates where Alternates are permitted to vote), one from the elderly/disabled public housing RAB Representatives, one from the family public housing RAB Representatives, and one from the Leased Housing Representatives. These co-chairs will rotate in chairing each of the RAB meetings. If in a particular month the designated co-chair cannot chair, s/he shall contact the other co-chairs or the vice-co-chair to make arrangements, and shall make up coverage in the future. Co-chairs shall also have responsibilities to help identify which Representatives/Alternates are interested in attending a RAB Conference/Event, and to contact Backup Travelers if persons originally selected to attend a Conference/Event are unable to do so, in accordance with the RAB's Travel/Conference Policy. As provided in Paragraph IV.C

below, a majority of co-chairs can call a special RAB meeting. A majority of co-chairs can also authorize emergency unforeseen expenses such as those associated with an approved RAB Conference/Event (such as weather delays requiring a hotel stay-over or travel rebooking); any such additional expenses shall be reported to the RAB at its next regular meeting.

B. Treasurer

A treasurer shall be elected by all RAB Representatives (and Alternates where Alternates are permitted to vote) who will be responsible for any financial affairs managed by the RAB. The treasurer shall consult regularly with the BHA liaison regarding RAB-related expenditures, and the treasurer from time to time shall report on these matters to the RAB as a whole. The Treasurer shall be responsible for the financial arrangements for Representatives/Alternates attending a RAB Conference/Event, including as necessary conference registration, transportation, lodging, and per diem, in accordance with the RAB's Travel/Conference Policy. The Treasurer shall consult with the attendees on the particular arrangements for each person. The Treasurer is also authorized to pre-approve hotel or rebooking arrangements that are necessitated by unforeseen events, to the extent that these can be placed on the RAB's account but canceled consistent with hotel or travel booking arrangements.

C. Secretary/Clerk

A secretary/clerk shall be elected by all the RAB Representatives (and Alternates where Alternates are permitted to vote) who will be responsible for keeping track of RAB records, information, and correspondence. The secretary/clerk shall regularly collect information and report to the RAB as a whole on attendance, excused absences, leaves of absence, whether there are vacancies in RAB Representative positions, or if it appears that a Representative should be removed due to non-attendance, and which Alternates qualify to move up to Representative positions. The secretary/clerk shall also be responsible for correspondence or phone contact with RAB Representatives/Alternates to inquire as to these matters and to notify them of action taken by the RAB. The secretary/clerk shall consult regularly with the co-chairs and the BHA liaison regarding these matters. The Secretary/Clerk shall maintain a list for each term of the RAB as to which Representatives/Alternates have attended what RAB Conferences/Events and are in good standing or not, and who is eligible to

attend future conferences and who is not, in accordance with the RAB's Travel/Conference Policy.

D. Assistant Officers—Vice-Chairs, Vice-Treasurer, and Vice-Secretary

Assistant Officers will be chosen for each of the Officer positions—i.e., Vice-Chairs for each of the constituencies, a Vice-Treasurer, and a Vice-Secretary/Clerk. The Vice-Chairs shall be elected by the RAB Representatives of each of the constituencies (and Alternates where Alternates are permitted to vote), and the Vice-Treasurer and Vice-Secretary by all RAB Representatives (and Alternates where Alternates are permitted to vote). The Assistant Officers will assist the Officers in the carrying out of their respective duties, and can chair or carry out other duties in the absence of the related Officer.

E. Term of Office; Filling Officer Vacancies

There will be a new election for Officers and Alternate Officers, and the term of office shall be for one year, with new elections being held every July thereafter. There is no restriction on a person who is already serving as an Officer or Assistant Officer from running for re-election.

Should a person elected as an Officer or Assistant Officer find that s/he is unable to continue to serve as an officer or assistant officer, notice of this shall be given to the BHA Liaison and the RAB, and the RAB shall promptly elect a new officer or assistant officer (if it so chooses) for the balance of the term. RAB Representatives or Alternates who step down from or are disqualified from the RAB (see Section V, below) shall automatically lose any officer or assistant officer position. However, individuals who step down or are disqualified as officers or assistant officers shall continue to be eligible to serve on the RAB so long as they were not disqualified from the RAB and meet the eligibility criteria established for the RAB.

III. RAB Budget; RAB-Funded Conferences and Events; RAB Committees

A. *RAB Budget.* Each year, the RAB shall propose to the BHA a budget for its regular expenses, similar to that which has been authorized in prior years with appropriate adjustments. The BHA shall approve such

budget if it appears reasonable, subject to funding availability. The RAB and the BHA shall also enter into a Memorandum of Agreement (MOA) regarding such budget and funding for the RAB. Once a budget has been approved, BHA may advance the RAB funds and the RAB may maintain its own accounts regarding such funds. The RAB Budget Committee, discussed below, shall review and approve expenditures and modifications within budget limitations, subject to review and approval by the RAB as a whole.

B. RAB-Funded Conferences and Events: Consistent with the RAB Budget, the RAB may authorize RAB Representatives and Alternates to attend conferences or events where costs are covered, in full or in part, through the RAB budget, including registration fees, transportation, lodging, and per diems. The RAB shall develop and from time to time revise a Travel/Conference Policy, establishing reasonable means to determine which Representatives/Alternates shall attend, consistent with budget limitations, so that all get opportunities to participate over time in such conferences/events. As a condition of such funding, Representatives/Alternates who volunteer to attend a RAB-funded conference or event agree to: (a) attend the event, or give sufficient advance notice (as detailed in the Travel/Conference Policy) that they will not be able to attend so that the RAB can get costs refunded or another Representative/Alternate can attend; (b) timely provide an expense report for funds advanced and return any funds that were not utilized; and (c) to provide a written report to the RAB and share materials about what was learned through the conference. Representatives/Alternates shall be required to reimburse the RAB for RAB expenditures where proper advance notice of inability to attend was not given, or where the member did not in fact attend the conference/event, and shall not be eligible for future funding during the RAB term to attend such conferences/events if such reimbursement has not occurred. Moreover, Representatives/Alternates shall not be eligible to run for a RAB officer position, as provided in Article V, if such reimbursement has not occurred. Such reimbursement arrangements shall be made with the RAB Budget Committee. In addition, Representatives/Alternates shall not be eligible for future funding to attend conferences during the RAB term if they have failed to submit a timely report or return of funds (as detailed in the Travel/Conference policy). If a RAB Representative or Alternate's failure to give appropriate advance notice of inability to attend a RAB-funded conference or event was due to compelling circumstances outside of his/her control, such as

hospitalization, family emergency, or the like, or if an expense or other written report or return of funds is not timely and the Representative/Alternate shows good cause for lack of timeliness, the Representative/Alternate shall be excused upon establishing the same with appropriate verification. Decisions whether compelling circumstances or good cause has been shown shall, in the first instance, be made by the RAB Budget Committee. But any Budget Committee recommendation that a Board member is not in good standing (and ineligible for funding to attend future events or to run for an officer position) is subject to review and approval by the Board as a whole. In addition, any expense report or funds submitted to a co-chair or other officer shall be deemed timely upon submission, and a co-chair or other officer must accept materials or funds submitted. The officers and/or Budget Committee may, however, require Representatives/Alternates to revise/supplement their expense reports, provide back-up documentation, or return additional funds that were advanced by the RAB if the expense report does not appear to be complete or there are inconsistencies or certain expenditures would be disallowed, and Representatives/Alternates must timely respond to such requests. Recommendations by the Budget Committee regarding a person's ineligibility for future RAB-funded conference or to run for office because of failure to rectify such issues shall also be subject to Board review and approval. Officers shall fulfill their duties in a timely manner regarding the review and approval of expense reports, and failure to do so may lead to an officer being ineligible for funding to attend future events or to run for an officer position. The Board shall review such matters prior to making a determination about which individuals will attend a future conference/event. .

C. *RAB Committees*: There shall be such Standing (permanent) and Ad Hoc (short term) Committees for the RAB as are outlined in the bylaws and/or as the RAB shall choose to establish for the term of the RAB; for any Committees not otherwise set forth in these Bylaws, the RAB shall establish the Committees' duties, names, and term, as well as any special rules on composition. Each Standing Committee shall have at least three (3) members and each Ad Hoc Committee shall have at least two (2) members; similar quorum requirements shall apply. Alternates are free to participate in Committees and to be selected as Committee chairs. No person shall serve on more than one Standing Committee, but may serve on one or more Ad Hoc Committee in addition to serving on a Standing Committee. A list of the Committees, chairs,

membership, meeting times, and term (where applicable) shall be maintained by the RAB Secretary/Vice-Secretary and furnished to all RAB members, the BHA Liaison, and those working with the RAB. Committee meetings are open to attendance by any RAB Representative or Alternate, but only Committee members may vote on a matter being considered by a Committee. RAB Representatives/Alternates who are not already on a Committee may, however, ask to join a Committee. The Committee may ask non-RAB members to attend their meetings and to assist them, but such non-RAB members shall not have any voting power. There shall be no voting by proxy at Committee meetings.

Each Committee shall choose a chair and establish a schedule of meeting times and locations which shall be provided to all RAB members. Committee meetings shall be scheduled in a manner so as not to conflict with the work of other committees or the RAB as a whole. All Committee meetings shall be held in accessible locations and at least 4 days' minimum notice shall be provided of a Committee meeting in order to permit committee members to arrange necessary transportation. The majority of the Committee members, or the RAB as a whole if the Committee is unable to act, may vote at any time to replace or appoint a new committee chair. Committees shall report regularly back to the RAB as a whole on their work and may make recommendations to the RAB as to action to be taken. To the extent possible, Committees will keep minutes from their meetings, and such minutes shall be provided to the RAB as a whole. Committees are authorized to draw from the RAB budget for light meals/refreshments for committee meetings, where appropriate, but such expenses shall be promptly accounted for to the Board. No individual committee member or officer is authorized to draw from the budget for meal/snack expenses except in conjunction with such meetings, or as may be otherwise authorized under the Travel/Conference Policy or specifically authorized by the Board. Appropriate Board action will be taken for an intentional violation.

- i. Budget Committee: There shall be a Budget Committee which is a Standing Committee. It shall consist of the three RAB Co-chairs, the Treasurer, the Vice-Treasurer, and one other RAB member chosen by his/her RAB constituency. The Committee shall assist the Treasurer and Vice-Treasurer in carrying out their responsibilities, in developing the RAB Budget, and in monitoring and approving RAB

expenses (subject to ultimate approval by the RAB Board), in monitoring reimbursements by RAB members, and in the RAB carrying out its functions under the MOA with the BHA. A constituency may designate another of its Members/Alternates to serve temporarily in place of its Co-chair on the Committee if it would otherwise not be possible, due to scheduling, for the Co-chair to attend. If the scheduling issue ends, the Co-chair will resume a position on the Budget Committee. The RAB will be given notice of any substitution and any resumption of responsibility by a Co-chair.

ii. Policy & Procedures Committee: There shall be a Policy & Procedures Committee which is a Standing Committee. The Committee shall carry out such work as is delegated to it by the RAB as a whole, including but not limited to proposing revisions to these bylaws and developing policies and protocols for the Board.

D. *Condolences and Sympathy*: The RAB shall recognize the passing of a present or former RAB member or alternate, or a past or present BHA Executive Director or RAB liaison, through either sending flowers, plants, or a charitable donation, and ~~each year~~ shall establish a maximum threshold for the same; this will be covered in the miscellaneous items in the RAB budget. The RAB may recognize illness or other challenges circumstances of RAB members or alternates through (a) flowers/plants, if the person is on a leave of absence for medical reasons, at a lower threshold than for the passing of a member/alternate, and otherwise, by (b) a sympathy card or other expressions of sympathy, and sympathy cards or other expressions of sympathy are authorized ~~may do the same~~ for the death of close family members of RAB members and alternates, other BHA resident leaders, or past or present BHA leaders or leaders of organizations that have worked with the RAB, but without the sending of flowers, plants or charitable donations. (This language is not meant to challenge the past practice of the RAB, which on occasion had provided for flowers or charitable donations for persons other than past or present RAB members or alternates, but merely to establish a future practice. The Board is free, by a vote, to authorize action beyond that authorized by this provision of the bylaws.) The Treasurer and Vice-Treasurer are given authority to make such arrangements for flowers, plants or charitable donations (in the case of present or former RAB members or alternates, or present or past BHA Executive Directors or RAB liaison) or the sending of sympathy cards or other expressions of sympathy in a timely manner consistent with the threshold established by the RAB, and shall report on the same to the

Budget Committee and the RAB.

IV. Meetings; Quorum; Conflict of Interest

A. *Attendance at RAB Meetings:* All RAB meetings and all committee meetings shall be open to attendance by all BHA public housing residents and Leased Housing participants, and to staff of BHA and organizations authorized by the RAB unless the RAB determines otherwise consistent with applicable law. It is anticipated that from time to time the RAB may wish to establish a “RAB only” meeting (or portion of a meeting) excluding BHA staff so that it may discuss positions related to the PHA Plans or for other RAB-related business; the RAB shall decide whether certain non-RAB members may attend such meetings to aid the RAB in its work. Such meetings shall, in any event, be open to Alternates.

B. *Notice for RAB Meetings; Agendas; Minutes:* Written notice of all regular RAB meetings will be given by BHA to all RAB Representatives and Alternates, as well as to organizations authorized by the RAB, at least seven (7) days in advance. Regular RAB meetings shall be at the BHA’s main office at 52 Chauncy Street, at the BHA’s Amory Street development, or at such other site which is accessible, of sufficient size and convenient location, as the RAB may designate. The designated co-chair for each meeting and the BHA liaison shall consult in advance of issuing this notice as to the matters to be placed on the agenda; co-chairs shall also consult with each other regarding the agenda in order that there is continuity between meetings. Any RAB Representative or Alternate can request that the co-chair place an item on the agenda for discussion. Additional items may be added to the agenda for a meeting with the consent of the RAB. Minutes of RAB meetings shall be prepared by the secretary or vice-secretary (with assistance by others authorized by the RAB, and by such others authorized by the RAB if there is no secretary or vice-secretary or it is a meeting where election of officers occurs) and provided to all RAB Representatives and Alternates, as well as to organizations authorized by the RAB; the RAB shall be free to revise such minutes.

C. *Special Meetings:* The RAB may, by a vote at a regular RAB meeting, arrange for special meetings outside of the schedule worked out with BHA, or at locations other than at the BHA. In addition, a majority of the Co-Chairs may arrange for a special meeting for good cause where action needs to be taken before the next regular meeting. However, the RAB must insure that

advance notice of at least seven (7) days is provided for such meetings to all RAB Representatives and Alternates, as well as to those working with the RAB, and that transportation arrangements are offered for RAB Representatives/Alternates to such special meetings. BHA will cooperate with any efforts to establish special meetings, including coordinating notice.

D. Contact Information: The RAB Secretary/Vice-Secretary (or another designee if there is no Secretary/Vice-Secretary) will supply all RAB Representatives and Alternates (as well as those working with the RAB) with a list of the names, addresses, telephone numbers and (as applicable) e-mail addresses for all RAB Representatives and Alternates, as well as the BHA liaison and contact persons at those groups working with the RAB. This list shall not be utilized for any purposes other than official RAB business.

E. Voting at RAB Meetings; Manner in Which RAB Meetings Will Be Run: Voting rights can only be exercised by RAB Representatives present at a RAB meeting, or by an Alternate(s) in the instance where there are less than ten (10) RAB Representatives for one of the three constituencies and then only up to a maximum of ten (10); there shall be no voting by proxy. Each RAB Representative (or voting Alternate) shall have one vote. As provided in Section V.A, there may be virtual meetings with voting through telecommunication devices.

Meetings shall be conducted in an orderly fashion, with persons recognized by the designated co-chair, and with procedural or other disputes resolved in a manner consistent with Roberts' Rules of Order (i.e., motions, seconds, friendly amendments, points of order, motions to table, motions to call the question, etc.) If the designated co-chair wishes to speak substantively to a particular matter, s/he should surrender the chair to another co-chair, vice-co-chair, or individual selected by the RAB during such period. There shall be no personal attacks on RAB Representatives or Alternates, BHA staff, or those collaborating with the RAB; emotion is permitted (and expected, given the issues that may arise, and the diversity of viewpoints), but all individuals shall be treated with respect. The co-chair shall have the right to have persons who are disruptive to the orderly conduct of business removed from the meeting. At each meeting, the designated co-chair shall appoint a sergeant-at-arms whose duties shall include enforcement of time limits on speakers and agenda items and assisting the co-chair in helping the meeting run in an orderly fashion. Such sergeant at arms may approach any individual or individuals considered by the designated co-chair to causing disruption in the meeting and ask to speak with them privately,

outside of the meeting, to see if concerns can be met in a manner consistent with meeting decorum and order, and without requiring formal action to remove the individual(s). Any such individuals who are approached should cooperate with the sergeant at arms. It is understood that rulings by the co-chair as to the removal of an individual can, as with other rulings by the co-chair, be appealed to the RAB as a whole, and that the RAB's ultimate vote shall be binding.

F. *Quorum for RAB Meetings:* A quorum for all RAB meetings shall be nine (9) RAB Representatives (including any voting Alternates). If a quorum is not present for a RAB meeting, the RAB is not able to take any binding votes.

G. *Avoidance of Conflict of Interest:* No RAB Representative or voting Alternate shall participate in the consideration of or vote on any matter in which the Representative/Alternate has (or in which any member of the Representative's/Alternate's immediate family has) a particular financial or other beneficial interest, including without limitation any contract or employment relationship. (Immediate Family is defined as mother, father, father-in-law, mother-in-law, spouse, children, brother, sister, son-in-law, daughter-in-law, or other relative who is a regular member of the RAB Member's or Alternate's household.) Any potential conflict shall be disclosed in advance to all RAB Representatives and Alternates participating in the meeting; in the event of any disagreement over whether such a conflict exists, a finding and binding determination shall be made by the majority of the disinterested RAB Representatives and voting Alternates present and voting at the meeting. It shall not be a conflict of interest, however, for RAB Representatives/Alternates to express views or vote on matters of general BHA policy that may be beneficial to public housing residents or Leased Housing participants.

V. Participation in Meetings in Person or Through Conference Technology; Absence from RAB Meetings; Removal of RAB Representatives, Alternates, Officers or Assistant Officers; Vacancies on the RAB; Filling Vacancies

- A. ***Attendance in Person or Through Conference Technology;***
Notice Where a RAB Representative Cannot Attend a RAB Meeting: To the extent that technology permits, the RAB and its committees may meet remotely through use of Zoom or similar platforms, or when it is safe to do so under public health protocols in existence during the COVID-19 pandemic, in person or through a hybrid model where

members and alternates can attend either in person or remotely. When the RAB first began to meet remotely in May 2020 during the outset of the COVID-19 pandemic, members and alternates were excused from attendance because not all had devices or the ability to log in; however, BHA and the RAB then made arrangements to make devices available to those who did not have them and to ease technological barriers. The RAB has decided, effective Jan. 2022, that attendance will no longer be excused on that basis. While the BHA has provided the Zoom platform from mid-2020 through 2021, it is anticipated that in 2022, the RAB shall establish its own Zoom account and shall directly host the meetings.

Even if the RAB returns fully to in-person meetings when it is safe to do so, remote technology will continue to be used for RAB meetings to accommodate those who might not otherwise be able to attend in person (such as due to illness, family emergency, travel, or inclement weather). Any RAB Representative/Alternate participating in a meeting through such technology shall let the secretary and respective co-chair or vice co-chair know and shall cooperate with methods to ensure the smooth functioning of such a meeting (such as by muting background noise, using the chat function to indicate how they are voting on a matter if they cannot be heard, and avoiding use of the chat function for personal remarks that it would not be appropriate to include in a public record, etc.) Any RAB Representative who cannot attend a regular RAB meeting either in person or through the use of conference technology shall notify the RAB co-chair for his/her constituency (or in the co-chair's absence, the vice-co-chair for that constituency) or secretary (or in the secretary's absence, the vice-secretary) if he or she cannot attend, and indicate the "good cause" for such non-attendance. If it is not possible to give such notice in advance, such notice shall be given as soon as possible. The co-chairs (and vice-co-chairs), secretary (and vice-secretary), shall keep each other notified of any such contact and the RAB secretary shall keep regular track of attendance and any such contact and notify the RAB and BHA periodically of attendance. While ordinarily a RAB Representative's statement that he or she has "good cause" to be absent shall be accepted on its face without the need for verification, the co-chairs shall have the right to determine that a Representative's absence should be deemed unexcused, as well as to seek additional information/clarification from a Representative, or to request that the Representative utilize the leave of absence provision of the bylaws where it appears there may be continuing non-attendance. Any such determination that a Representative's absence should not be

excused notwithstanding a “good cause” request shall be subject to RAB approval, and the co-chair’s determination may be reversed by a vote of the RAB.

B. Leaves of Absence: A RAB Representative may request a leave of absence if, for reasons beyond his/her control, he or she cannot attend RAB meetings for a period of time, but wishes to remain on the RAB. Such a request shall be conveyed to the co-chair for the Representative’s constituency (or vice-co-chair in the co-chair’s absence) and the secretary. The co-chair (or vice-co-chair), and secretary, shall notify each other of any such request. Any such request must be brought to the next RAB meeting and is subject to RAB approval both for the initial leave of absence and any extension. Leaves of absence shall be limited to an initial period of three months. The RAB secretary shall contact the individual at the end of the three-month period to find out the individual’s intent (to return to the RAB, to leave the RAB, or to seek an extension on the leave). The total leave of absence period for any one individual cannot exceed a total of six months in any RAB term.

C. Quarterly Review of Attendance: On at least a quarterly basis, the RAB shall review the attendance of RAB Representatives and Alternates and the status of any leaves of absence. BHA shall provide regular revised updated RAB Representative/Alternative lists to the RAB as membership changes due to departure or removal of RAB Representatives or Alternates.

D. Removal of RAB Representatives For Failure to Attend RAB Meetings Without Good Cause: If a RAB Representative has failed to attend three or more consecutive regular RAB meetings without stating “good cause” for non-attendance, and without being out on leave of absence as provided in these Bylaws, or has failed to attend at least six meetings in a 12-month period, except for Board approved leaves of absence, the RAB Secretary or other designee shall notify the RAB as a whole and the BHA liaison of this. The RAB shall arrange to give written notice to all such individuals that they are being removed from the RAB. In the Board’s discretion, such individuals may be kept on as alternates at the end of the alternate list. Should any such individual believe that this action is not warranted (i.e., there was good cause for nonattendance or failure to notify the RAB), s/he may contact the RAB and petition to be restored to the RAB. The RAB shall decide what action to take on such a petition.

E. Removal of RAB Representatives, Officers, or Alternates for Other Good Cause: A RAB Representative, Officer, or Alternate may be removed for just cause by a majority vote of all Representatives (and Alternates entitled to vote) present at a RAB meeting that has a quorum. Just cause shall include, but not be limited to, failure to carry out the duties of the RAB Representative, Officer, or Alternate set out in these Bylaws, fraud upon the organization, or taking action harmful to BHA tenants, BHA staff or those collaborating with the RAB. Just cause shall also include an Officer or Assistant Officer's failure to comply with Section III.B. regarding RAB protocols for RAB-funded events. The RAB may, in its discretion, determine that it is appropriate to remove a RAB Representative or Alternate from an Officer or Assistant Officer position, but not to remove the Representative or Alternate from continued participation in the RAB. Prior to the membership vote, the affected individual shall be entitled to seven (7) days' notice of the planned action and the grounds for removal. The affected individual may, at least two (2) days prior to the membership meeting, request in writing to the co-chairs that he/she be granted an informal hearing on the charges. (If the affected member is a Co-chair, the request shall be directed to the Secretary as well as to any other Co-chairs.) If such a request is received, the vote on removal shall be deferred, and the RAB shall convene a temporary committee to investigate the matter and grant the affected member an informal hearing. (The RAB may request involvement by third parties working with the RAB with such a committee if it deems this appropriate.) The temporary committee shall report its findings back to the next general membership meeting that shall take appropriate action on the temporary committee's recommendations. The temporary committee shall not contain any members who are personally interested or biased as to the controversy involved, and shall be empowered to investigate and take testimony from anyone whose testimony is relevant in the matter.

F. Resignation; Removal Due to No Longer Being Eligible to Serve on the RAB: Any individual who finds that s/he is no longer able to serve as a RAB Representative or Alternate for any reason, or that s/he is no longer eligible to serve on the RAB because he or she no longer resides in a BHA public housing or Leased Housing unit administered by the BHA, or has a conflict of interest, shall notify the RAB Secretary and the BHA liaison of this, and shall be removed from the RAB. Should it come to the RAB's or the BHA liaison's attention that an individual should have been disqualified under this section but did not notify the RAB, such individual shall be removed from the RAB once this is known, with written notice provided to

such individual of this action. Should any such individual believe that this action is not warranted (i.e., disqualification is not required), he or she may contact the RAB and petition to be restored to the RAB. The RAB shall decide what action to take on such a petition.

G. Filling Vacancies on the RAB: There may be vacancies during the course of the RAB's term in both Representative and Alternate slots. The RAB may appoint individuals who are BHA Leased Housing participants and/or BHA public housing residents, have expressed an interest in serving as Representatives or Alternates, and meet the eligibility criteria set forth in Section I.E.iv of these bylaws, to fill vacant Representative or Alternate slots. Such persons may serve on an interim basis until such time as there are regular elections, as provided in these Bylaws. In filling any position, the RAB shall make clear whether the persons appointed are Representatives or Alternates and, if Alternates, what their ordering is on the Alternate list for the purpose of any later filing of vacancies in Representative slots.

No Representative or Alternate who (1) has been removed for just cause under Section V.E of these Bylaws, or (2) has resigned, shall be eligible for the remainder of the term of each RAB as described in Section I.E of these Bylaws or to be elected to the RAB in the future (as provided in Section I.*). This bar shall not apply to any person who was removed for just cause as an Officer or Assistant Officer but was not removed as a Representative or Alternate.

In the event of a vacancy in a Representative position, Alternates from that constituency who meet the minimum attendance requirements in Article I (i.e., have attended at least four RAB meetings in a year) shall be contacted in order about their willingness to fill the vacancy; Alternates in order shall be skipped over if they do not meet the minimum attendance requirements. In the event that more than one Alternate in order meets minimum attendance requirements due to a tie, the co-chair of that constituency shall contact all such persons and find out whether any of the Alternates would defer to another filing the position. In addition, if there is a tie, but there is one or more of the alternates who is not in good standing under Section II.F of these Bylaws among the tied group, such individual(s) shall not be eligible to move up. Preference shall be given, in the event of a public housing vacancy and a tie among alternates, to the filling of the vacancy with someone from a public housing development that is not already represented on the RAB Board. If a tie must be broken, all such

alternates shall be given written notice that the matter will be heard at a Board meeting and shall be given a moment to declare whether and why they are interested in serving as a Representative. The existing Representatives from the affected constituency present at the meeting shall make a decision on how to break such a tie not otherwise determined by these bylaws.

H. RAB Sponsored Events and RAB Comments: No RAB Representative or Alternate or group of RAB Representatives/ Alternates may conduct an event which purports to be sponsored or endorsed by the RAB unless the RAB has first voted to approved this, whether or not the event will involve any RAB funding. Similarly, comments on matters of BHA or public policy will not be regarded as the comments of the RAB unless the RAB has approved such comments. RAB members are free to attend events in their personal capacity and to identify themselves as RAB members, as long as they make clear that they are not speaking on behalf of the RAB and/or that the RAB has not taken any official position on the matter.

VI. Amendment of Bylaws

A. Process for Amendment: These Bylaws may be amended by a majority vote of the RAB Representatives (and Alternates entitled to vote); provided, however, there must be a quorum at such meeting and provided further, however, that written notice must be given to all RAB Representatives and Alternates, at least one week in advance, stating specifically the proposal to amend these Bylaws.

B. Amendment if Federal or State Law Changes: Should federal or state law requirements for Resident Advisory Boards be changed such that these Bylaws are inconsistent with federal or state law, BHA shall notify the RAB of such changes and indicate what revisions to the Bylaws are required to bring the Bylaws into accordance with federal or state law.

C. Revision if City-Wide Residents Organization Established: Should BHA public housing residents establish a city-wide residents organization in the future which would have the right to appoint RAB public housing representatives in accordance with law, these Bylaws shall be amended to reflect the change in which public housing tenant representatives are chosen.