



TENANT PARTICIPATION ACTIVITIES RULES & PROCEDURES

Introduction

Resident Councils play a vital role in the communities. They give residents a forum to voice concerns about what is happening in the development and build a sense of community from the inside. People always have greater power to change conditions when working together. Portland Housing Authority's (PHA) developments each have unique qualities, diverse tenant populations, and a variety of quality of life expectations. Effective tenant participation and local decision-making will ultimately depend on the strength of the relationship tenants' form with the PHA.

Residents have the right to elect a council made up of their neighbors to represent their interests in dealing with PHA. Once elected, PHA must recognize these Resident Councils (RC) as the sole representative of tenants and their interests and support the council's Tenant Participation Activities (TPA). It is the responsibility of PHA to maintain open communication and frequent meetings with the RCs. PHA, working with RCs, will assume the lead role in making sure that tenants have the opportunity to participate in skills training.

PIH Notice 2013-21 states that PHAs must collaborate with RCs on how funds are to be distributed and RCs play an active role in determining how the tenant participation funds will be used. Each RC has the ability to decide which activities they will pursue with tenant participation funds. PHA will provide office and tenant activity space, as available. RCs are entitled to \$25 per occupied unit/per year if a PHA receives its full operating budget for TPA funds. If a PHA does not receive 100% of its operating funds from HUD, the \$25 is apportioned. For example, if a PHA receives 80% of its operating budget from HUD, Resident Councils will receive 80% of \$25. However, PHA is entitled to a portion of the TPA funds. PHA's share of the TPA funds is 40% of the funds allocated by HUD (\$10 per unit at full subsidy) which PHA will use for costs incurred in carrying out TPA. The share of the HUD allocation for use by RCs is 60% (\$15 per unit at the full subsidy level).

PHA will work with RCs on deciding how these TPA funds are distributed. If there is no RC to work with, PHA will fund allowable activities and could use funding to help establish a council where needed. How funding is distributed is an important aspect of tenant participation, as it will have a direct effect on the activities available to tenants, as well as potentially limiting the resources that can be used to improve the quality of life in their public housing developments. It is therefore important for tenants to work towards establishing an RC.

PIH Notice 2013-21 includes a broader range of activities for which TPA funding may be used and allows for more active tenant participation in deciding how to utilize those funds. Under the new HUD notice, self-sufficiency activities are now eligible for funding allocation.

The following is a list of allowable and unallowable activities for TPA funds. This represents a starting framework that PHA will use in establishing the Tenant Participation policy and for Resident Councils to assess the suitability of requests for the use of TPA funds.

Allowable Activities

- Consultation and outreach efforts that support active interaction between PHA and residents;
- Activities that inform residents on issues and/or operations that affect resident households and their living environment;
- Resident surveys and other mechanisms to collect resident input;
- Annual membership events or site-based community activities that enhance resident participation;
- Resident commissioner training, resident council training, resident advisory board training, leadership development, household training, orientation, and training for new and existing residents on resident responsibilities;
- Resident council elections and organizing;
- Planning functions for matters such as the Public Housing Agency Plan, revitalization, safety and security, property management and maintenance, and capital improvements;
- Reasonable refreshment and light snack costs that are directly related to resident meetings for the activities discussed in this section; and
- Stipends to resident council officers who serve as volunteers in their public housing developments;
- Self-sufficiency and capacity building activities, such as those listed in § 964.205 and 24 CFR 964.150 subpart B & C:
 - o Social Support needs (such as self-sufficiency and youth initiatives) including: coordination of support services; training of residents for programs such as child care, early childhood development, parent involvement, volunteer services, parenting skills, before and after school programs, and senior programs; training programs on health, nutrition and safety; child abuse and neglect prevention; tutorial services, including those in partnership with community-based organizations such as local Boys and Girls Clubs, YMCA/YWCA, Boy/Girl Scouts, Campfire, and Big Brother/Big Sisters, etc.; youth education and sports programs; drug use and violence prevention programs; financial literacy and credit counseling;
 - o Resident management training for residents in skills directly related to the operation, management, maintenance, and financial systems of a project as potential employees of an existing or proposed resident management corporation, including training on nondiscrimination and equal opportunity requirements; and
 - o Training related to the development of resident-owned businesses and technical assistance for job training and placement in resident management corporation developments.
- Family Days may be an eligible TPA if the event is structured to offer community empowerment activities, social service resources, information on community-based organizations, health services, and potential employment and training opportunities. Specific examples of information tables or trainings include:
 - o Health Care, Senior Health, Anti-Obesity
 - o College Fairs
 - o Youth and Senior Programs
 - o Job Readiness
 - o Anti-Violence Programs
 - o Parenting Skills
 - o Garden and Greening

Unallowable Activities

This is any activity outside the scope of PHA policy and HUD regulatory requirements behind TPA funds. Unallowable expenses also include any activities prohibited by laws related to fair housing and non-discrimination. In addition, the Office of Management and Budget's (OMB) Circular A-87 prohibits the use of federal funds, including TPA funds, for the following:

- Purchase of alcoholic beverages;
- Entertainment, where the dedicated purpose of the event falls under the following categories:
 - o Amusement (trips to theme parks, county fairs, etc.)
 - o Diversions (theatre, movies, sports events, etc.)
 - o Social Activities (parties, bowling nights, etc.)
 - o Any directly associated costs for the events in the categories above (tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities); and
- Organized fund raising costs, including financial campaigns, solicitation of gifts and bequests, and similar expenses incurred to raise capital or obtain contributions, regardless of the purpose for which the funds will be used.

Although TPA funds cannot be used for activities listed above, RCs and PHA are encouraged to seek additional funds or partnerships to provide activities with beneficial outcomes to public housing residents and communities.

Applying for TPA Funds

Request for TPA funds must be submitted using the TPA Funding Application (attached). TPA applications must be completed and signed by an RC representative. Once submitted, the application will be reviewed by the PHA's Executive Director, Director of Finance, and Director of Public Housing. PHA will have 10 business days to approve or disapprove the application. If the application is found to be incomplete, PHA will notify the RC. PHA will work with the RC to ensure the application is complete. If the completed application is denied, PHA will submit a written document describing the reasons for denial to the RC. This document will provide specific details as to why the request failed to meet established evaluation criteria. The RC must submit a written appeal to the Director of Public Housing within five (5) business days of said decision if they contest the denial. PHA will respond to that appeal within five (5) business days.

If a TPA Funding Application is approved, PHA will notify the RC and take the necessary actions to implement the proposed activities, such as ordering materials, preparing consultant agreements, and initiating purchase order requests.

PHA's goal is to complete its review of TPA funding applications within 10 business days of receiving the application. Complete applications must be submitted at least 30 days prior to the fixed or scheduled start date of any service. Complete applications for out-of-town travel must be submitted to PHA for review six (6) calendar weeks in advance of travel date.

Procurement for TPA Funding Application

For any requested activity/resources between \$3,000 and \$5,000, the RC shall obtain a reasonable number of quotes (preferably three). However, for activity/resources of less than \$3,000 only one quote is required provided the quote is considered reasonable. Quotes may be obtained orally (either in person or by phone), by fax, in writing, or through e-procurement. If award is to be made for reasons other than lowest price, documentation shall be provided to PHA in the TPA application.

Criteria for Evaluating Use of TPA Funds

HUD encourages PHA and RCs to consider the following criteria in conducting the evaluation of proposed fund expenditures:

- Is the proposed TPA consistent with the written agreement between the PHA and RC regarding TPA funds?
- Is the requested activity consistent with the intent of HUD's regulations and the PHA's policies?
- Is the request clear? What exact activity or resource is being requested?
- Will residents have equal or broad access to the resource being provided?
- Is the proposed activity reasonable in cost? Can other vendors provide a similar resource at a lower cost?
- Does the proposed expense abide by the applicable procurement policies?
- Are the needs of the community, such as those documented in the PHA Plan, being met by the proposed TPA?
- Will the RC be able to provide the appropriate receipts and invoices for auditing purposes?

Disbursement of Funds

Upon approval of the TPA Funding Application, proposed vendors must complete a W-9 Form. Payments will then be issued by PHA directly to the vendor that is providing the service. PHA requests that all vendors submit the original invoices when services are rendered to:

Portland Housing Authority
Attn: Accounts Payable
14 Baxter Blvd
Portland, ME 04101

Resident Council Responsibilities

Each RC must maintain records for a period of at least five (5) years after TPA funds are provided. Those records must include the following:

- Copies of all approved TPA applications
- Copies of all solicitations conducted by the RC
 - o Cost estimates
 - o Reasons for choosing vendor or service
- Complete attendance sheets for all TPA funded meetings, events, classes, etc.

All materials purchased with TPA funds for RC use must be used for RC business only. TPA purchased materials shall not be used for personal use.

An RC representative must make a copy of all receipts for services rendered or materials purchased. The representative must hand deliver the receipts to the Property Manager at the PHA Site Office. The Property Manager will review the receipts with that representative. To be considered valid, a receipt must have the following information:

- Vendor Name and Address
- List of Items Purchased

- Date of Purchase

Conflicts of Interest

RCs must disclose any real or potential conflict of interest that may exist between the council and the proposed activity.