

RAD Tenant Organizing Rights Before and After RAD Conversions

Before RAD (Public Housing rules)

After RAD (RAD PBV or PBRA rules)



Residents have a **right to organize** and **elect a resident council** to represent their interests. Rules governing public housing tenant organizing can be found at 24 CFR part 964.

Residents have a **right to organize** and **elect a resident organization** to represent their interests. Rules governing RAD PBV or PBRA tenants can be found at 24 CFR part 245 and HUD Notice 2012-32 (REV-3).

Resident Councils must only be comprised of and represent **public housing tenants** and have **written bylaws** that describe election and recall procedures for a **democratically** elected board.

Resident organizations are considered "legitimate" by HUD if they have been established by **tenants** of HUD **multifamily** housing, meets **regularly**, operates **democratically**, is **representative** of all tenants at the property, and is completely **independent** of owners, management, and their representatives.

PHAs are required to provide at least **\$25 per occupied unit per year** for resident participation activities, **at least \$15 per occupied unit per year** of which must go to resident council to fund tenant participation activities.

Owners are required to provide least **\$25 per occupied unit per year** for resident participation activities, **at least \$15 per occupied unit per year** of which must go to resident council to fund tenant participation activities.

The PHA and the duly elected resident council must enter into a **written agreement** before the PHA can provide the tenant participation funding.

There are **no written agreement requirements**, but we strongly encourage PHA and the duly elected resident council must enter into a written agreement before the PHA can provide the tenant participation funding.

Protected Organizing Activities

Landlords **must** allow RAD PBV and PBRA tenants to conduct the following activities related to the establishment or operation of a resident organization (no prior permission is required):

- ★ Distribute leaflets in lobby areas and in common areas
 - ★ Place leaflets at or under residents' doors
 - ★ Initiate contact with residents
 - ★ Conduct door-to-door surveys of residents to determine interest in establishing a resident organization
- ★ Post information on bulletin boards
 - ★ Assist residents to participate in resident organization activities
- ★ Convene regularly scheduled resident organization meetings in a space on site and accessible to residents, in a manner that is fully independent of management representatives.
 - ★ Prohibit management representatives from attending resident organization meetings unless invited by the resident organization to specific meetings to discuss specific issue(s)
- ★ Other reasonable activities related to establishing or operating a resident organization
- ★ Formulate responses to landlord's request for:
 - rent increases,
 - partial payment of claims,
 - conversion from project-based utilities to resident-paid utilities,
 - reduction in resident utility allowances,
 - conversion of residential units to non-residential use or co-ops or condos,
 - major capital additions, and
 - prepayment of loans