
This content is from the eCFR and is authoritative but unofficial.

Title 24 —Housing and Urban Development

Subtitle B —Regulations Relating to Housing and Urban Development

Chapter IX —Office of Assistant Secretary for Public and Indian Housing, Department of Housing and Urban Development

Part 964 —Tenant Participation and Tenant Opportunities in Public Housing

Subpart B —Tenant Participation

Authority: 42 U.S.C. 1437d, 1437g, 1437r, 3535(d).

Source: 59 FR 43636, Aug. 24, 1994, unless otherwise noted.

§ 964.130 Election procedures and standards.

At a minimum, a resident council may use local election boards/commissions. The resident council shall use an independent third-party to oversee elections and recall procedures.

- (a) Resident councils shall adhere to the following minimum standards regarding election procedures:
 - (1) All procedures must assure fair and frequent elections of resident council members—at least once every three years for each member.
 - (2) Staggered terms for resident council governing board members and term limits shall be discretionary with the resident council.
 - (3) Each resident council shall adopt and issue election and recall procedures in their by-laws.
 - (4) The election procedures shall include qualifications to run for office, frequency of elections, procedures for recall, and term limits if desired.
 - (5) All voting members of the resident community must be given sufficient notice (at least 30 days) for nomination and election. The notice should include a description of election procedures, eligibility requirements, and dates of nominations and elections.
- (b) If a resident council fails to satisfy HUD minimum standards for fair and frequent elections, or fails to follow its own election procedures as adopted, HUD shall require the HA to withdraw recognition of the resident council and to withhold resident services funds as well as funds provided in conjunction with services rendered for resident participation in public housing.
- (c) HAs shall monitor the resident council election process and shall establish a procedure to appeal any adverse decision relating to failure to satisfy HUD minimum standards. Such appeal shall be submitted to a jointly selected third-party arbitrator at the local level. If costs are incurred by using a third-party arbitrator, then such costs should be paid from the HAs resident services funds pursuant to § 964.150.