

# 1760 Bush Street Tenant Association Bylaws

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## Article 1--General Organization

1.1 The name of the organization shall be 1760 Bush Street Tenants Association.

1.2 The TA shall be an official Resident Council under HUD regulations for the public housing development/subsidized housing senior and disabled tenants at 1760 Bush Street in San Francisco, CA 94109.

1.3 The TA shall be an unincorporated non-profit association organized exclusively for charitable and educational purposes as described under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

1.4 The official address of the TA shall be 1760 Bush Street San Francisco, Ca. 94109.

1.5 The official languages of the TA shall be English, Russian, and Chinese. Minutes, resolutions, agendas and notices shall be translated into each official language to the extent that translations are available.

## Article 2 - Purpose

2.1 The purposes of the TA is to represent the senior and disabled public housing tenants (Rental Assistance Demonstration RAD conversion project) at 1760 Bush Street in San Francisco on matters of common concern, to improve living conditions in public housing for senior and disabled tenants, to involve residents in matters of housing policy and management, conduct programs in leadership training, and undertake such other charitable and social activities as the Board and membership determines.

## Article 3-- Affiliated Resident Councils

# 1760 Bush Street Tenant Association Bylaws

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3.1 TA shall be a Resident Council affiliated with Citywide Council Senior/Disabled unless the general membership terminates affiliation by a  $\frac{3}{4}$  vote of those present at the meeting. Except as provided In these Bylaws, TA shall conduct its affairs in such a manner as to maintain its eligibility for affiliation with CCS/D.

## Article 4 - Membership

4.1 The membership of the TA shall consist of those residents of the TA housing development who are over the age of 18, head of household for their unit, or a signatory tenant for their unit, and not expelled from membership, unless readmitted. (All residents can participate and each resident listed on lease can vote.)

4.2 Members may be expelled by a  $\frac{3}{4}$  vote of the membership for cause. Members may be readmitted by a simple majority vote of the membership at a meeting.

4.3 Failure to qualify for membership in CCS/D does not disqualify a member from serving as a TA officer, but the TA's delegation to CCS/D shall omit officers who do not meet CCS/D's eligibility requirements.

## Article 5 -- Officers and the Board

5.1 The affairs of the TA shall be conducted, managed, and controlled by its Board, subject to the control of the general membership. The membership may delegate its authority to officers or committees as it sees fit Individual officers shall perform their functions subject to the supervision of the Board and general membership.

5.2 The officers of the TA shall be president, vice president, secretary, treasurer and sergeant at arms, and such officers as the members provide for from time to time. The Board shall consist of the officers and shall include an odd number of members.

5.3 The president shall preside at all meetings of the general membership and the **Board** and shall see that all resolutions and projects of the TA are carried to effect The president shall supervise the administration of the TA's business.

# 1760 Bush Street Tenant Association Bylaws

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5.4 The vice president shall assist the president and perform his or her duties in his or her absence or disability.

5.5 The secretary shall take the minutes of the meetings of the Board and the membership, may hang notices of meetings, maintain the membership list, and keep records of the TA's business affairs.

5.6 The Treasurer shall keep financial records as necessary, report to the Board on the TA's financial status, and provide monthly and quarterly reports on ledgers..

5.7 The sergeant at arms shall maintain order at meetings, store and maintain the TA's property, and perform such other ceremonial functions the Board shall prescribe.

5.8 No person shall hold two offices simultaneously, but the functions of a vacant office may be assigned to another officer until the vacancy is filled.

## Article 6 -- Selection, Replacement and Removal of Officers

6.1 Any member who is not an employee of San Francisco Housing Authority (SFHA), the building development company or their contractors may be nominated for, run for, and hold any office for the duration of their terms.

6.2 Officers shall be chosen by the general membership every third year. Each officer shall be elected for a term of three years, starting immediately following the election. A person may not run for more than two offices at the same time. Before the election is held, a person running for two offices must specify which office he or she intends to accept if successful in both races.

6.3 The outgoing secretary shall be responsible for ensuring that the members receive fifteen to thirty days' written notice of membership meetings where nominations are to be made and the election held. The notice for the nominations meeting shall state that any member of the TA (except SFHA, Developers, and both of their contractors) may run for office, and give the time, date and place of the nomination meeting.

# 1760 Bush Street Tenant Association Bylaws

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6.4 At the general membership meeting where nominations are to be received or elections held, an independent third party, not resident in the building shall preside. The presiding officer shall call the meeting to order, and announce that nominations are to be received or that the election is to be held, as the case may be.

At the election meeting, each candidate shall be given an equal opportunity to address the membership before the vote is taken, regardless of the number of offices sought. All contested elections shall be decided by secret ballot. The election shall be conducted in accordance with HUD regulations, CCS/D bylaws and regulations, and these bylaws.

6.5 Any candidate who receives a simple majority of the votes cast is elected. If no candidate for an office receives a simple majority of the votes cast, the candidate with the fewest votes shall be dropped and another round of voting held until one candidate receives a simple majority. Ties shall be decided by chance.

6.6 The Board may appoint replacements for offices which become vacant. The Board may also fill vacancies which occur for lack of candidates at the general election.

6.7 The membership may recall an officer by a simple majority, which shall be taken by secret ballot. A recall election may be triggered by the submission of petitions signed by 15% of the residents. An appointed Officer may be removed by a simple majority of the remaining Board members.

6.8 No election shall be overturned due to any irregularity in proceedings, unless it is demonstrated that the irregularity may have affected the outcome, except that failure to conduct a secret ballot voids a contested election or recall. No person may challenge the results of an election for irregularities unless the objection is made before the election is held/votes are cast, unless impractical to do so.

## Article 7 -- Meetings

7.1 All meetings where any business is transacted shall take place at 1760 Bush Street in San Francisco, CA 94109. Voting by proxy is not permitted.

# 1760 Bush Street Tenant Association Bylaws

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7.2 General membership meetings may be called by the Board or by 10 regular members. The Board and the membership shall meet at least quarterly. Board meetings may be called by the president, or by any three board members.

7.3 Both general meetings and Board meetings require 14 days written notice of the time and place to all members, except when an emergency requires quicker action by the board. In lieu of noticing each meeting, the Board may adopt a policy of regular meetings at a set time and place, and 14 days written notice of the policy suffices for all meetings held in accordance with the policy. When the Board acts in emergency meetings the action is limited to dealing with the circumstances that constitute the emergency, and regular business shall be deferred to the next regularly noticed meeting. Motions that require advance notice, nominations and elections may not be taken in Emergency Session. Notices shall be posted in the common areas of the development and may be distributed to each unit.

7.4 All Board meetings shall be open to the general membership, excluding SFHA, Developer employees or their contractors, and those receiving compensation from SFHA for personal services, unless the Board votes to go into private session, or to admit Sf HA,

Developer's employees or their contractors, and those receiving compensation from SFHA for personal services. In Private Session, attendance is limited to those persons admitted by the Board or membership. Elections to the Board may not be conducted in any part in private session or emergency meetings. All general meetings shall be open to the general membership. Board meetings may welcome general members to speak or call a full or partially closed session. Speakers must wait to be recognized by the floor before contributing.

7.5 The quorum for Board meetings is a majority of the Board (3 of 5). The quorum for general membership meetings is 10% of membership. Once a quorum is present, the meeting may continue to conduct business until its recess.

7.6 Actions taken by a simple majority, except where the Bylaws or Robert's Rules of Order provide otherwise. All simple and 2/3 majorities provided for in these Bylaws are of those present and voting.

# 1760 Bush Street Tenant Association Bylaws

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7.7 The most current edition of Robert's Rules of Order shall be the rules of order for meetings. However, when the business of the meeting is not controversial, procedure may be informal, and formal motions and votes are not required, but the minutes shall reflect any actions taken.

7.8 The President or other presiding officer at meetings shall:

- a. Ensure that those present understand what is happening at the meetings;
- b. Call meetings to order, present for approval the agenda, and present the previous meetings minutes for correction and approval;
- c. Preside impartially over debates, refrain from speaking for or against controversial matters without relinquishing the chair to another officer;
- d. Maintain order and decorum, restrict debate that degenerates into name calling, and allow all members who wish to participate in debate a reasonable opportunity to do so;
- e. In formal proceedings, state the motion and explain what a "yes" or "no" vote means clearly before voting, and announce the result after voting.
- f. In informal proceedings, state the consensus decision of the meeting for inclusion in the minutes.

7.9 The following motions require advance notice *at a previously held meeting* to be considered:

- a. motions to recall or remove an elected officer;
- b. motions to expel a member;
- c. motions to amend bylaws.
- d. Motions to detach from CCSD.

Advance notice must specify the exact motion to be considered and the meeting at which the motion will be considered. When advance notice is given at Board meeting of action to be proposed at a General Meeting, the membership shall be notified of the motion by mail or by individual postings with the meeting notice.

## Article 8 - Committees

8.1 All committees shall be created by the Board majority or by the general membership. The committee members shall be appointed by the president unless the membership

# 1760 Bush Street Tenant Association Bylaws

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designates a different method of selection. The President may serve on any committee. If appointment of committee members requires approval of the membership, the membership shall have the right to consider each appointment individually, and shall not be limited to approving or disapproving an entire slate.

8.2 Employees and contractors of SFHA, or their contractors, may not serve on committees.

8.3 Unless the membership designates otherwise, all committee members shall be members of the TA. However, outside accountants and auditors may be appointed by the Audit Committee.

## Article 9 -- Finance

9.1 Two signatures shall be required on all checks. Three signatures are to be kept on file in cases where one is unavailable.

9.2 The president shall supervise the administration of the TA's business and funds.

9.3 The vice president may conduct business if the President is absent or unable to perform their functions.

9.4 Any single expense of more than \$100.00 without tax for buying a certain item shall be approved by the President. Any item of \$250 may be approved by a quorum of the Board. Any costs or items above \$250 or more must be approved by General Membership majority present at meeting..

9.5 All checks payable to 1760 Bush Street Tenants Association shall be written in the Pay to the Order of 1760 Bush Street Tenant Association

9.6 All checks mailed to this TA shall be in accordance with section 1.3 of these Bylaws.

9.7 All money received by 1760 Bush Street Tenants Assoc shall be received by the President or Treasurer and deposited into the bank account.

# 1760 Bush Street Tenant Association Bylaws

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9.8 A personal check of the 1760 Bush Street Tenants Association may be issued for a reimbursement of bought items or services if a person submits a receipt to the Board or Treasurer. If a person cannot submit a receipt for bought item(s) or services rendered they shall submit to the Treasurer a written financial report co-signed by at least one member of the Board that the expenses in question are true and correct.

9.9 Stipends authorized by HUD regulations according to CFR pursuant to part 964.150 and amount to be paid, require a 2/3 vote of the membership to be approved.

9.10 Tenants who provide translation or interpretation and who are not Resident Council/TA Board members shall receive a stipend for interpretation in meetings or translation of notices into each official language. Interpreters may make themselves available by phone or phone-ins to suit the need requirements of the members or Board.

9.11 Stipend increases require a 2/3 vote of the membership.

## Article 10 - Amendments

10.1 These Bylaws may be amended by a petition signed by 15 regular members, or introduced by three Board members, followed by a majority vote of the regular membership.

10.2 no amendment may conflict with HUD regulations governing officially recognized Resident Councils or to terminate the Tenant Associations non-profit status.

-End.

Statement:

These bylaws prohibit SFHA, Developer or their contractors from serving as officers, provide for three year terms of office, contain no term limits, and require advance notice to change.

Please note that most terms are *determined* by HUD regulations and CCS/D requirements.

These bylaws are recognized as complete due to membership majority voting procedures described herein and stay in effect with no changed amendments through upcoming buy out in October 2016 and may not be amended except as specifically noted in above articles.

Transcribed 2014 by Cynthia Morris.