

# ROLES & RESPONSIBILITIES OF PUBLIC HOUSING COMMISSIONERS

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1

## BRIEF HISTORY OF THE PUBLIC HOUSING PROGRAM

### Federal

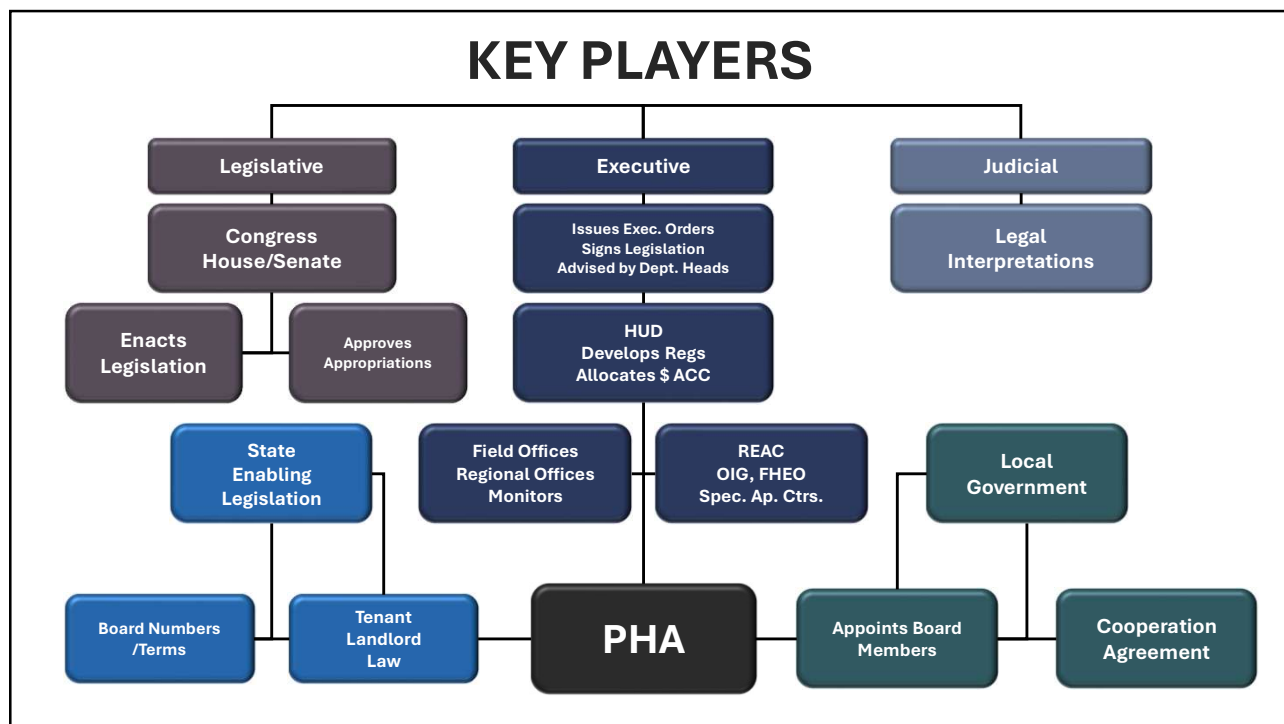
- ✓ 1937 Housing Act
- ✓ Brooke Amendment
- ✓ QHWRA
- ✓ HOTMA

### States

- ✓ Enabling Legislation

2

2



3

## HOW DOES THE HOUSING AUTHORITY WORK?

- Funding: Where does the money come from?
- Accountability
- Mission Statement
- Plans, Policies, and Procedures
- Measuring Performance

4

## **FIRST 90 DAYS ARE CRITICAL**

### **VERY CRITICAL**

- For understanding the role that you play
- For building relationships with the different players
- For receiving a comprehensive PHA orientation
- For understanding State and Federal Laws governing a PHA
- For understanding the PHA's Policies and Finances

5

5

## **ORGANIZATIONAL RELATIONSHIPS**

- Creating Important Relationships
- The key elements of an Effective Relationship
  - ✓ Purpose
  - ✓ Leadership
  - ✓ Communication
  - ✓ Performance
  - ✓ Accountability
  - ✓ Coordinated Effort

6

6

## THE ROLE OF THE BOARD

- The Board of Commissioners, as a whole, is the Governance Body
  - ✓ No single commissioner or committee can act for the Authority
- Policy-Making Body
- Provide Oversight
  - ✓ Evaluate the Work of the PHA

7

7

## THE ROLE OF THE BOARD

- The Board monitors agency performance in:
  - ✓ Property management
  - ✓ Administration
  - ✓ Property development
  - ✓ Regulatory compliance

8

8

## **ROLE OF THE EXECUTIVE DIRECTOR**

### **MANAGE DAY-TO-DAY OPERATIONS OF AGENCY**

- PHA Staffing
- Prepares and Monitors/Supervises Operating Budget
- Enforces Policies
- Primary advisor to Board
- Monitors operations
- Maintains compliance with Laws and Policies
- Implement Standard Operating Procedures
- Maintains Units

9

9



## **BOC RESPONSIBILITY VS EXECUTIVE AUTHORITY**

**WHERE DO YOU DRAW THE LINE?**

10

## **BOARD RESPONSIBILITY VS. EXECUTIVE AUTHORITY**

- The HUD Inspector General Program details the responsibilities of board members
  - ✓ Establishing and adopting PHA Policies
  - ✓ Approving By-Laws, Resolutions and Policies
  - ✓ Selecting qualified Executive Directors
  - ✓ Monitoring Agency performance
  - ✓ Ensuring PHA is acting legally and with integrity

11

11

## **BOARD RESPONSIBILITY VS. EXECUTIVE AUTHORITY**

### The Board can:

- ✓ Establish internal controls
- ✓ Establish personnel selection and evaluation policies
- ✓ Establish performance criteria
- ✓ Establish accountability standards
- ✓ Review independent audits and HUD reviews
- ✓ Visit the properties

12

12



A relationship of trust and confidence is required between the Board of Commissioner and the Executive Director!

13

13

## **RESPONSIBILITIES OF THE BOARD AS A WHOLE**

- Represent the Agency in your Community
- Public Speaking
- Developing Resources
- Represent the Greater Community Within the Board
- Understand and Operate within your Agency By-Laws

14

14

## **RESPONSIBILITIES OF INDIVIDUAL BOARD MEMBER**

- Be informed!
- Represent the PHA positively
- Represent the community fairly
- Support the Executive Director
- Commit to be part of the solution rather than the problem
- Actively recruit partnerships

15

15

## **RESPONSIBILITIES OF BOARD CHAIRPERSON**

- Promote fiduciary responsibility and integrity of Agency governance
- Operate the Board “As a Whole”
- Preside at Meetings
- Signs Contracts, Deeds and Other Instruments
- Sets Agenda
- Lead by Example

16

16



## **RESPONSIBILITIES OF BOARD VICE-CHAIRPERSON**

- Perform duties of Chairperson in their absence or incapacity

17

17

## **RESPONSIBILITIES OF BOARD SECRETARY**

- Recordkeeping
- Preparing all Reports
- Power to affix PHA Seal to Contract and Other Instruments
- Financial Officer
- Preparing for required Board Meetings and Public Hearings

18

18

## LIABILITIES OF THE BOARD

- The Board is legally responsible for the operation of the Authority  
- be alert to **“Red Flags”** such as:
- ✓ Ineligible or unsupported costs
  - ✓ Negative cash flow
  - ✓ Inadequate accounting records
  - ✓ Unusual expenses or payments

19

19



20

20

## **SUGGESTIONS FOR INTERNAL CONTROLS/PROGRAM INTEGRITY**

- Handling cash, record keeping, and authorization should be separated
- (2) signatures on checks
- Each disbursement is supported by documentation
- Review financial records regularly
- Determine whether daily deposits are made

21

21

## **LITIGATION**

- When the PHA is sued or receives an announcement of intent for litigation, the PHA must:
  - ✓ Contact HUD's Regional Counsel
  - ✓ Contract with an attorney
  - ✓ Submit contract to HUD's Regional Counsel
  - ✓ Submit all pleadings and briefs to HUD
  - ✓ To initiate, settle, or appeal, HUD must concur

22

22

## **PITFALLS A BOARD COMMONLY FACE**

- Ineffective oversight of the overall operation of the PHA
- Failure to read and question policies presented for approval
- Failure to monitor key performance indicators
- Failure to ensure the PHA's resources are effectively spent
- Failure to implement internal controls and separation of duties

23

23

## **PITFALLS A BOARD COMMONLY FACE**

- Lack of external checks on financial reporting
- Improper disposition of assets
- Failure to carefully review outside contracts
- Failure to make ethical, unbiased decisions
- Failure to comply with State laws
- Involvement in day-to-day operations of the PHA

24

24



25

## **PRINCIPLE 1**

### **TRUSTEESHIP**

- Providing decent, safe, and sanitary housing within the financial reach of low-income families
- Promote serviceability, efficiency, economy, and stability

26

26

## **PRINCIPLE 1**

### **TRUSTEESHIP**

- Properly managing Federal funds
- Operating developments for the benefit of low-income families
- Maintaining account books and records in accordance with HUD requirements
- Operating developments with maximum efficiency and economy
- Adhering to all Fair Housing/Civil Rights requirements
- Submitting all documents/reports to HUD
- Following all Laws, Regulations, Executive Orders, etc.

27

27

## **PRINCIPLE 2**

### **ETHICS**

- Conflicts of Interest
- Direct or Indirect
  - ✓ Housing development (present or future)
  - ✓ Contract (present or future)
- Board speaks with one voice or not at all

28

28

## **PRINCIPLE 2**

### **ETHICS**

- Establish written Standards of Conduct for Board Members, Executive, and Employees
- No Personal Gain
- Do NOT disclose confidential information
- Courteous disregard with renegade who persists

29

29

## **PRINCIPLE 3**

### **BOARD DECISIONS SHOULD BE POLICY DECISIONS**

- Address the largest or broadest values
- Make sure policies are compliant

30

30

## **PRINCIPLE 3**

### **BOARD DECISIONS SHOULD BE POLICY DECISIONS**

#### **There are 5 Policy Decision Categories**

1. Outcomes
2. Limitations
3. Board/Staff Linkage
4. Board Governance Process
5. Some Agency Policies are Mandatory – Others are Formulated by the Agency and Concurred by HUD

31

31

## **PRINCIPLE 4**

### **POLICY FORMULATION**

→ Policy Formulation Should be Determined by Taking Broadest Values First and Progressing Down to Narrow Ones

✓ Macro to Micro

32

32



## **PRINCIPLE 4**

### **POLICY FORMULATION**

- Differentiate between Policies and Procedures
- Become familiar with the following in General, then gradually learn the details
  - ✓ State Housing Authorities Act
  - ✓ ACC
  - ✓ Agency By-Laws and other Policies
  - ✓ General Operating Condition of Agency
  - ✓ Mission Statement of the Agency

33

33

## **PRINCIPLE 5**

### **DEFINE & DELEGATE**

- Board Should Define and Delegate Rather Than React and Ratify
- Leadership Approach
  - ✓ Establish Policies that provide clear, compliant, and efficient directions
  - ✓ Policies meet Agency purpose (*Agency Mission*)
  - ✓ Require Draft Policies to be provided at least a week before scheduled meeting
  - ✓ Use Board resources to improve or expand services to residents

34

34

## **PRINCIPLE 6**

### **AGENCY OUTCOMES SHOULD GOVERN SUCCESS**

#### **Focus on:**

- ✓ Meeting the needs of the persons you serve
- ✓ Mandated requirements
- ✓ The reasons for which your Agency was created
- ✓ What do you expect in return for Agency expenditures?

35

35

## **PRINCIPLE 7**

### **BEST CONTROL OVER STAFF RESOURCES IS TO SET PARAMETERS**

- Policies must cover all unacceptable actions and situations
- Must state prohibitions in enough detail that any reasonable interpretation will suffice
- Incorporate limitations into Personnel Policy, Standards of Conduct, and Ethics Policy

36

36

## **PRINCIPLE 7**

BEST CONTROL OVER STAFF RESOURCES IS TO SET PARAMETERS

### **Examples:**

- ✓ Contracts over Small Purchase Threshold require Board approval
- ✓ Personnel Policy limits travel expenses to Federal per diem limits
- ✓ Residents who don't pay rent get evicted

37

37

## **PRINCIPLE 8**

A Board Must Build a Linkage With the Executive Director that is Both Empowering and Safe

### **Expectations:**

- Performance
- Honesty
- Straight forwardness

38

38

**“BE UNDERSTANDING ABOUT PERFORMANCE,  
BUT NEVER BEND AN INCH ON INTEGRITY”**



- Watch out for pitfalls
- Pay attention to warnings

39

39

## **PRINCIPLE 9**

- Performance of the Executive Director Must be Monitored Rigorously but **ONLY** on Board Established Policy Criteria

40

40

## ESTABLISHED MONITORING CRITERIA

### Examples

- ✓ Easy to read financial reports
- ✓ PHAS or SEMAP performance reports
- ✓ Report on agency outcomes

41

41



42

## **WHAT THE BOARD SHOULD PERFORM HANDS ON...**

- Establishing and Approving Policies
- Setting Board Work Plan and Agenda for year and each meeting
- Determining Board training and development needs
- Attending to discipline of Board attendance and following By-Laws
- Becoming expert in governance
- Community Representation
- Evaluating Executive Director's performance

43

## **WHAT THE BOARD SHOULD KEEP HANDS OFF...**

- Day-to-Day Operations
- Approving Procedures from implementing Policies
- Decisions or assessments related to staffing

44

STRONG GOVERNANCE

SOUND FINANCIAL OVERSIGHT

LONG-TERM SUSTAINABLE PERFORMANCE

MORE FAMILIES SERVED



45

45



46