

Resident Advisory Board – PHA Plans

Forming the Resident Advisory Board

What is required?

The Resident Advisory Board (RAB) provides the PHA and the residents with a forum for sharing information about the Agency's Annual Plan. Section 511 of the United States Housing Act and the regulations in 24CFR part 903 require that PHAs establish one or more Resident Advisory Board (s) (RAB) as part of the PHA Plan process. RAB membership is comprised of individuals who reflect and represent the residents assisted by the PHA. The role of the RAB is to assist the PHA in developing the PHA Plan and in making any significant amendment or modification to the Plan.

What is the role of the RAB?

The main role of the RAB is to make recommendations in the development of the PHA Plan. In order to facilitate collaboration, PHAs should encourage the RAB's participation from the inception of the planning process. PHAs are also required to request input from the RAB for any significant amendment or modification to the PHA Plan.

When should the RAB be appointed?

The RAB should be appointed well in advance of the date that the PHA Plan is due to HUD to ensure effective resident participation in the development of the plan.

Who can participate on the RAB?

If a jurisdiction-wide resident council is in place that complies with tenant participation regulations at 24CFR Part 964, the PHA must appoint this group or its representatives as the Resident Advisory Board. If the PHA does not have a jurisdiction-wide resident council, then it should appoint resident councils or their representatives to serve as one or more of the RABs. A PHA may require that the resident councils choose a limited number of representatives to serve as RAB members.

Where there are no resident councils that comply with the tenant participation regulations, then the PHA must appoint one or more RABs or board members as needed to adequately reflect and represent the residents assisted by the PHA. The PHA should give adequate notice of its intentions to the residents and encourage the residents to form resident councils that comply with the tenant participation regulations. PHAs have discretion in determining the method of appointment of RABs, as long as a PHA ensures that its RAB or RABs reflect and represent all the residents assisted by the PHA.

What about Section 8 recipients?

Because Section 8 residents do not have resident councils, PHAs with a significant sized tenant based assistance program must ensure that the Section 8 residents are adequately represented or that reasonable efforts are made to secure their participation in the RAB. A significant sized tenant based assistance program is one where at least 20 percent of the total PHA's households receive tenant-based assistance.

How many RABs are required?

PHAs that do not have a jurisdiction-wide RC have discretion to determine the number of RABs that they may appoint. PHAs are required to institute at least one RAB; the number of RABs beyond that number will depend on the size and the complexity of the PHA or its developments. In deciding the number of RABs to be established, a PHA should consider how adequate representation of its entire resident population can be provided.

How does the PHA fix the term of service?

There is no fixed term for membership on a RAB. A PHA has discretion to establish its own policy regarding the duration of the appointments. In determining the tenure to be adopted, PHAs may consider the number of RABs and number of residents who volunteered to serve. Greater RAB participation may be realized by rotating residents' tenure.

What if the PHA cannot establish a RAB?

If, after making all possible endeavors, a PHA is not successful in establishing a RAB, it may appoint all of the agency's assisted residents as members of the RAB. The PHA must notify all of its members that they have been appointed as members and inform them of their role and responsibilities regarding the development of the PHA Plan. The PHA must also provide residents with notification of meetings (at least 48 hours in advance) and provide copies of any materials for review.

Encouraging Participation in the RAB

Residents who volunteer to be part of the RAB can be excellent partners to the PHA during the development of the PHA Plan. Although PHAs are expected to make a significant effort to ensure adequate resident representation in the Resident Advisory Boards, securing participation by residents during the planning process may pose a challenge for some PHAs.

How can a PHA encourage residents to take advantage of the RAB opportunity?

Personal appeals are one strategy. Executive Directors may be more likely to get commitments from residents if they personally request their participation. Residents might also be hesitant to volunteer to work with a Resident Advisory Board if they do not really understand their role as a member of the RAB. The PHA provide adequate information to all residents regarding the RAB. The PHA should inform residents of the purpose and role of the RAB, as well as practical information such as the time commitment required. The PHA should make clear to residents and Section 8 participants that the partnership between the residents and the PHA is of benefit to both parties. The residents are provided with an opportunity to voice their concerns so that their needs are addressed and they can become involved in the planning process. The PHA also gains essential information from the residents about the improvements that need to be made at the agency's developments and residents' self-sufficiency needs. This information helps the PHA to set priorities for capital improvements and advises resident services programming.

PHA's Responsibility to the RAB

What are the PHAs' Responsibilities?

PHAs have the responsibility to ensure that the RAB can adequately serve its function including:

- PHAs must give the RABs sufficient time to review and make recommendations on the Plan. RABs will be able to contribute best if they are provided with adequate information regarding the PHA's programs and the policies included in the Five-Year and Annual PHA Plan.
- The PHAs should give RABs advance notice of meetings scheduled to discuss areas of the Plan (generally, at least 48 hours, or more depending on the meeting agenda).
- RABs should also be provided with any existing documents that would assist them to make productive recommendations during the working meetings.
- PHAs should provide the RABs with reasonable means to carry out their functions such as making available a meeting place for discussing programs with the residents. RABs should also have access to any other communication tools such as a telephone, writing material, or computers that may facilitate their contacts with other resident households or to obtain further information on the programs.

At what stage in the planning process must PHAs involve the RABs?

The role of the RABs is to assist and make recommendations regarding the development of the PHA Plan and any significant amendments or modifications to it. RABs should be involved in the planning process as soon as it is feasible and must be given sufficient time to fully participate in the process so that they can carry out their proper role and provide representation that is meaningful and relevant to the development of the Plan. The PHA and the RAB should develop a reasonable timetable to promote participation, including adequate notice of meetings. To facilitate productive meetings, PHAs may do preliminary work prior to involving the RABs, such as gathering and compiling data and materials to help residents participate in the process, including some initial recommendations. A PHA must consider the recommendations of the RABs and make revisions to drafts or to the Plan which it deems appropriate.

Public Notice and Comment Period Requirements

The PHA governing body is required to convene a public hearing to discuss their Five-Year and/or Annual Plan and to prompt comments from the public regarding their proposed activities. PHAs must consider, in consultation with the RABs, all the comments received at the public hearing.

PHAs are required to carry out the following steps at least forty-five (45) days prior to the scheduled public hearing:

- Publish a notice indicating that a public hearing to present the Plan and further public comments will be held including time, date and location. The notice should also indicate where the Plan and pertaining documents will be available for their review. The documents should be maintained at an accessible place such as the PHA's central office.
- Conduct outreach activities to promote comprehensive participation in the public hearing.

Any significant amendment or modification to the Plan is subject to the public hearing and RABs' assessment requirements.

Incorporating Comments into the Plan

PHAs are required to consider the RAB's recommendations to the Plan but are not required to agree with them. The recommendations received must be submitted by the PHAs as a required attachment to the Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations. It is prudent for PHAs to acknowledge those recommendations that conform to the programs and the mission of the PHA. If the RABs do not provide recommendations to the Plan, the PHA must document that in the attached narrative.

Announcement of Membership of the RAB

PHAs must provide an attachment to the PHA Plan listing the members of its Resident Advisory Board(s). If the number of participants is too large to reasonably list, then the attachment should include a list of the organizations represented on the RAB or other description sufficient to identify how members were chosen.

RAB Notification of Plan Process

To ensure that the RAB is fully engaged in the full plan process, PHAs are required to promptly provide a copy of the HUD award letter (identifying formula share allocations for Capital Fund), plan approval letter and at least one copy of the approved plan to each RAB.