

FACT SHEET #8

Resident Organizing and Funding



When a public housing property converts through RAD, residents keep their rights to organize and receive funding from the property owner to support resident participation. This Fact Sheet explains how those rights work under RAD.



Will I Have a Right to Organize After a RAD Conversion?

YES! Residents of properties converted through RAD have the right, and are encouraged, to form and operate a **Resident Organization**. HUD recognizes the importance of resident involvement in improving the quality of life for residents. Resident organizations and councils work to improve resident satisfaction and participate in initiatives that enable residents to create a positive living environment for all families.

Under the public housing program these rights are guaranteed under the regulation 24 CFR Part 964. HUD has maintained these rights after conversion. Property owners must continue to recognize legitimate resident organizations, encourage the formation of an organization if one does not exist, provide funding to support these organizations, and give reasonable consideration to the concerns raised by these organizations. Resident councils are encouraged to meet regularly with the property owner, often the PHA, to discuss issues, plan activities, and review progress. **However, instead of looking to 24 CFR Part 964 for tenants' rights, residents at RAD properties will now be covered under 24 CFR Part 245.** This section includes stronger and more specific protections for tenant organizing. In addition to the rights included in this section, resident councils at RAD properties continue to be eligible for tenant participation funds.



What Makes a Resident Organization “Legitimate”?

To be considered “legitimate,” your resident organization must:

- Be established by the residents of the property;
- Meet regularly;
- Operate democratically;
- Represent all residents at the property; and
- Be completely independent from the property owner, management and their representatives, and public housing authority.

If there is no legitimate resident organization at your property, HUD encourages your property owner to actively engage residents and develop a constructive working relationship.



What Are Protected Resident Organizing Activities?

The owner must allow residents and resident organizers to:

- Contact other residents;
- Conduct surveys of residents to determine interest in establishing an organization or to offer information about an organization;
- Distribute leaflets in the lobby and common areas and place leaflets at or under residents' doors;
- Post information on bulletin boards;
- Assist residents to participate in resident organization activities;
- Hold regularly scheduled meetings in a location where residents can easily attend and which management staff may not attend unless invited;
- Conduct other reasonable activities; and
- Coordinate a response on behalf of residents to proposed actions such as changing from owner-paid utilities to resident-paid utilities, reducing resident utility allowances, increase rent, and major construction or modernization work at your property.

In addition to these activities, property owners must allow residents and resident organizers to conduct other reasonable activities related to the establishment or operation of a resident organization. Property owners cannot require residents and resident organizers to obtain permission before taking the actions described here. Owners and managers must also allow the resident association, or residents looking to create an association, use of any community room or other available and appropriate space for meetings, though they may charge a reasonable fee.



Will My Resident Organization Still Receive Resident Participation Funding After RAD?

After a RAD conversion, your property owner must continue to set aside **resident participation funding in the amount of \$25 per occupied unit per year**. For example, in a 100-unit property, the owner must make available \$2,500 each year to support resident participation. These funds follow the same rules and procedures that apply under the public housing program.

Of the \$25 per occupied unit, the project owner must make at least \$15 of this amount available to the “legitimate” resident organization to fund resident participation activities such as resident education, organizing around tenancy issues, and training activities. The owner may provide the entire \$25 per occupied unit to the tenant organization or may use up to \$10 of this amount to directly pay for costs to administer resident participation activities.

If your resident council had unused resident participation funds before participating in RAD, that money will still be available for your resident organization's use after the conversion.

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A resident council and owner must enter into a written agreement on the use of the Tenant Participation Fund. The written agreement should include:

1. Eligible uses of funds;
2. A budget from the resident organization;
3. How the resident organization will request funds; and
4. How the resident council will account for funds that have been spent.

Residents organizations may consult their local legal aid office with questions or concerns before signing a written agreement with your new property owner.

Role of Project Owner

- Enter into a written agreement with the resident organization;
- Provide tenant participation funds to the resident organization;
- Administer funds reasonably, including establishing a policy on how the resident organization makes requests for funds; and
- Ensure that funds are used for eligible purposes.

Role of Resident Organization

- Enter into a written agreement with the Project Owner;
- Submit a budget for the use of the Tenant Participation funds;
- Certify that all resident council expenditures will be used for eligible uses; and
- Provide accounting to Project Owner for the use of the funds.

Eligible Uses of Funds

A complete list of eligible uses of funds is in [PIH Notice 2021-16](#). Allowable uses include, but are not limited to:

1. Consultation and outreach efforts that support active interaction between the owner and residents,
2. Activities that inform residents on issues that affect resident households and their living environment,
3. Resident surveys,
4. Community activities that enhance resident participation,
5. Leadership development, household training, and orientation and training for new and existing residents on resident responsibilities,
6. Resident council elections and organizing,
7. Planning revitalization, safety and security, property management and maintenance, and capital improvements,

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8. The cost of reasonable refreshments and light snacks at resident meetings,
9. Stipends to elected resident council officers who serve as volunteers, and
10. Self-sufficiency and capacity building activities.

Please note that even where a property has not established a resident organization, the owner is still required to utilize the resident participation funding to support the creation of a resident organization and for eligible uses listed above.



What Are Resident Organizers?

A “resident organizer” is a person who assists other residents in establishing and operating a resident organization, and who is not an employee or representative of current or prospective owners, managers, or their agents. Under RAD, property owners must allow resident organizers to assist residents in establishing and operating resident organizations. Resident organizers can be residents of the property they are organizing, or they can live elsewhere. If a property has a consistently enforced, written policy against canvassing, then a resident organizer who does not live at the property must be accompanied by a resident while on the property. If a property has a written policy favoring canvassing, or no policy about canvassing, any resident organizer must be afforded the same privileges and rights of access as other uninvited outside parties in the normal course of operation.



Cleveland, OH: Resident leaders from Bohn Tower and staff from the Cuyahoga Metropolitan Housing Authority discuss the completed RAD conversion and the role residents played in the process.