

## CONSTITUTION AND BY-LAWS

The New York City Housing Authority recognizes that Resident Associations are independent entity and such should develop their own By-Laws. Since the democratically elected officers of Residents Associations will represent their members in dealings with the Housing Authority and in decisions affecting all residents of their development, it is essential that membership in the organization be open to all, that participation by all residents is encouraged, and That the process for election of officers be open, fair and understandable to all participants. To this end a Memorandum of Agreement regarding Residents Association was entered into between the New York City Housing Authority and the City-wide Residents Organization. A copy of this is attached.

### ARTICLE 1

#### NAME

Section 1. The name of this organization shall be:

The 74 WSURA 92ND STREET Tenant Association.

### ARTICLE II

#### PURPOSE

1. Improve the living conditions in the housing development and the surrounding community.
2. Promote neighborliness among the residents of the housing development and between the residents and the community.
3. Serve as an organization and representative spokesperson for the residents.
4. Serve as liaison between the residents and management, community organization, groups and agencies.
5. Encourage involvement and participation in community life.
6. Welcome new residents.

### ARTICLE III

#### MEMBERSHIP

- Section 1. Any individual of any age if Head of Household who is recognized by the New York City Housing Authority as a permanent resident of WSRUA 74 WEST 92ND STREET Houses and who is interested in joining the Association may become a member by joining the Association. The membership may term (or year) shall run from January 1st to December 31st.
- Section 2. Any members who join the Association at least one meeting in advance of any meeting of the members of this Association ( **General Membership Meeting**) including any meeting at which officers are to be nominated or elected, shall be eligible to vote in all matters presented for vote at such meeting.

### ARTICLE IV

#### OFFICERS AND THE ELECTION

- Section 1. The Offices of this position to be filled by election shall at least include the position of President, Vice-President, Treasurer and Secretary. No individual may fill more than one office at a time.
- Section 2. The officers shall be elected by the membership at an election meeting held during the month November. Each officer so elected shall serve for a term. of office of 3 years, or until their successors are elected.
- Section 3. Any member joining the Association at least one meeting in advance of any General Membership meeting of the Association shall be eligible to be nominated for office and hold office.
- Section 4. No individual employed by the Authority more than 20 hours per week is eligible to hold any office of any Tenant Association as long as such individual remains so employed by the Authority.
- Section 5. Each newly elected officer of any Tenant Association shall be invited to participate in the Authority sponsored workshop on Association leadership enhancement, motivation and membership recruitment.

## ARTICLE V

### DUTIES OF OFFICERS

Section 1. **President:** It shall be the duty of the President to preside at meetings of the Association, and The Executive Board. It shall also be his/her leadership obligation to carry out the expressed will of the membership and to involve the Executive Board and the Membership in the decision-making process on matters of interest to the residents. Upon taking office, s/he shall assign to the Vice-President specific areas of responsibility, and designate the order in which they take over his/her duties in the event of his/her absence or unavailability. She/He shall appoint the Chairperson, (except of the Nominations Committee) in consultation with the approval of the Executive Board, of the Standing Committee as shall be established and require written reports from them. S/He shall make an annual report to the Association. S/He as the Vice-President shall co-sign checks with the Treasurer or another designated member of the Finance Committee. S/He shall sign all contracts, agreements, and legal documents on behalf of the organization.

Section 2. **VICE-PRESIDENT:** It shall be the duty of the Vice-President, in the event of the absence or disability of the President, to assume the powers and perform the duties of that office, and such others duties as The Executive Board or membership may from time to time prescribe. In event of vacancy in the office of the President caused by illness, or resignation, or for any other reason, s/he shall succeed the President for the Unexpired term of office. His/Her signature shall be registered at the bank for emergency use in place of the President. S/He shall coordinate the activities of the committees assigned to him/her, and supervise the Chairperson of said Committees.

Section 3: **TREASURER:** It shall be the duty of the treasurer to receive all money due the Association and to be the Custodian of all its funds. The Treasurer shall have the power to co-sing checks with the President and the Vice-President. The Treasurer shall submit a written financial report at all meeting of the Executive Board, and an oral report at all General Membership meetings other than special meeting called to address limited and specific issues. S/He shall be responsible for seeing that the financial records of the Association are audited at least annually, and shall present this audited financial report to the Executive board and the membership. S/He shall serve as the Chair of the Finance Committee ex-officio.

The funds of the Association, other than funds which are reasonably held in a petty cash reserve no to exceed two hundred dollars to meet emergency needs, shall be deposited in a bank account in New York City in the name of the **WSURA 74 WEST 92ND STREET** Tenant Association.

Withdrawals from any such account shall require the signatures of the following Officers: President, Treasurer, and/or Vice-President.

It shall be the duty of the Treasurer to receive all funds, membership dues, donations, income from fund raising affairs, shall maintain duplicates of receipts given for funds received.

S/He shall issues sign validated membership cards and shall be responsible for maintaining a current membership file and an adequate accounting system showing all income and expenses during His/Her term of office. S/He shall report on paid-up status of membership periodically.

All petty cash, bank accounts, financial and other records of this Tenant Association that is dissolved shall be transferred to a successor Tenant Association or (if there is no Successor) to the Authority to safeguard for any future Association.

Section 4. **SECRETARY:** It shall be the duty of the Secretary to Keep written record of the proceedings of the meetings of the General Membership and the Executive Board. The "Minutes" of the General Membership meetings are to be read at the next meeting of the Association. S/He shall keep a file of all reports belonging to the Association, including annual reports of the President and the Committee Chairperson, and all other important papers and documents including correspondence.

It shall be the duty of the Secretary to write the correspondence of the Association as directed by the President and the Executive Board. S/He shall keep a full and correct list of the officers and members with their correct addresses and telephone numbers.

Section 5. **VACANCY IN OFFICE:** Any vacancy in any office of the Association, whether caused by resignation (which shall be in writing), removal in accordance with provisions of these By-Laws, termination of tenancy or other cause, shall be filled for the unexpired term by election of a successor at the next regular or special meeting of the General Membership held Immediately following the creation of such vacancy, with the exception that a vacancy occurring in the office of the President.

Shall be filled for the unexpired term by the Vice-President should a vacancy in any office other than that of the President occur at a time when no regular meetings of the General Membership are scheduled to be held for a period in excess of one month, the Executive Board shall appoint a person to fill the unexpired term subject to ratification by the General Membership at its next regularly scheduled meeting.

Section 6. **INSTALLATION OF OFFICERS:** Officers shall be installed at the next General Membership meeting immediately after the election meeting.

## ARTICLE VI

### EXECUTIVE BOARD

- Section 1: The Executive Board of the Association shall be comprised of the individuals holding the office of President, Vice-President, Treasurer and Secretary. The President of the Association shall preside over meeting of the
- Section 2. The Executive Board shall meet **4 times a year**. Special meetings of the Executive Board may be called by the President, or upon written request of 2/3 of the officers of the Executive Board.
- Section 3. The responsibilities of the Executive Board shall be:
- A) To formulate and actively support the Association's objectives, policies and program.
  - B) To assume responsibility for provision of adequate finances for the Association's work.
  - C) To approve the Association's budget prepared by the Budget or Finance Committee, and bring recommendations on the budget to the membership.
  - D) To conduct periodic evaluations of the work of the Association with a view to improve the program and the operations.
  - E) To establish special committees as are necessary to carry out the work of the Association.
  - F) To convene for the purpose of conducting urgent and special business that may be in the best interest of the Association.
  - G) To actively recruit members from among the residents of the Development represented by the Association.
  - H) To insure that the Association's current By-Laws and any future amendments do not contain Articles which place undue hardship upon and/or violate the rights of Authority Residents.
  - I) To file a copy of the Certificate of Incorporation, if any, the By-Laws, and each amendment of the Association with the Authority's Department of Community Affairs for review and preservation of documents.

Section 4. In order to transact business 3/5 of the Executive Board must be present, and that action of the Executive Board requires a majority vote of those present.

## ARTICLE VII

### COMMITTEES

Section 1. Committees shall be known as Standing Committees and Special or Ad-Hoc Committees: (These Committees can be changed, combined, added to, or deleted, as the Executive Board sees fit.

A. The Standing Committee shall include: None

B. Special or Ad-Hoc Committee shall include:

Auditing Committee	By-Laws Committee
Nominating Committee	AROC Committee

Section 2. Each standing Committee shall consist of Chairperson, Vice Chairperson, Secretary and at least two additional members.

Section 3. The Chairperson shall be appointed by the President with the approval of the Executive Board. Each committee shall elect its own Vice Chairperson and Secretary.

Section 4. Members of committee shall be appointed by the President via his/her recruiting efforts.

Section 5. If a Chairperson of any committee is remiss in carrying out his duties, the President may, with the approval of the Executive Board request the **resignation** in writing, of said Chairperson before the expiration of his/her term.

## ARTICLE VIII

### NOMINATIONS AND ELECTIONS

Section 1. There shall be a Nominations Committee and members selected by the Executive Board. The Committee shall elect its own Chairperson. If the Chairperson of the previous committee is available, s/he shall serve with voice but no vote. The President can not appoint this committee nor be a member of it. Members of the committee are barred from becoming nominated for any office themselves.

Section 2. At a Meeting of the General Membership held at least one month before the General Membership meeting at which election of officers will take place, the Nominations Committee will deliver a report proposing at least one candidate for each office of the Association to be filled by election, and will include in its report, a statement confirming that each nominee has agreed to serve if elected.

Additional nominations for each of the office of the Association to be filled by election may be made from the floor at the General Membership meeting during the month of **OCTOBER** following the report of the Nominations Committee, provided that each such nominee from the floor is present and announce that S/he will serve if elected.

Section 3. Notice of nomination and/or election shall be available to residents not less than one month before the date of the nominations and/or elections. Notices, which shall be reasonably well publicized, in writing , shall include the requirement for eligibility to participate in the nominations and/or elections and shall in one or more languages. That are appropriate.

Section 4. Elections shall be held by **secret ballot or open ( counted by raising of hand) at the election meeting which shall be held in the month of November**. In the event of an unopposed candidate for any office, the Secretary shall cast and record one vote (ballot) for the candidate on a motion approved and carried by the body. A majority of vote cast shall elect.

Section 5. Any Tenant Association meeting at which nominations or elections of officers is scheduled to occur may be attended by an Official representative of the Authority and the Interim Council of Presidents (or its successor). Nominations and/or elections of officers of any Tenant Association of the development or by Authority staff or by appropriate outside entity mutually approved by the Authority and the Interim Council of Presidents ( or it successor).

Section 6. Voting privileges shall be:

- A) To all members 18 years of age and older or any members who are signatories to the lease.

Section 7. **REMOVAL FROM OFFICE:** Any officer may be removed from office for dereliction of duty, malfeasance, conflict of interest, actions contrary to the best interest of the Association, or absence from **three consecutive meetings of the General Membership or the Executive Board ( or any combination thereof)** without sufficient and valid reasons.

A Review Committee, may be convened by the President or Vice President of the Association, the District Chair of the Citywide Resident Association, or the Borough Administrator of NYCHA's Department of Community Operations by petition from the membership. This committee will consist of all members of the Executive Board of the Association, plus a Staff Representative from the Department of Community Operations. The purpose of the committee will be to hear charges against any officer whose removal is sought under the provisions of this Section 7 and referring the charges to a special or regular General Membership Meeting if deemed to have merit. all charges shall be presented to the accused officer, in writing, not less than (10) days in advance of the meeting of the Review Committee considering such charges. The accused may have representation at the Review Committee meeting. Removal of any accused officer shall only be accomplished by a vote of 2/3 (two thirds) of the members at a regular or special meeting may be removed by the voting membership through a petition from 10% of the voting membership or the quorum specified in these by-laws, whichever is the greater amount. The membership must then vote on the motion to remove the board. If the majority votes to recall the board, a new election must then be held.



The Entire Board may be removed by the voting membership through a petition from 15% of the voting membership or the quorum specified in these By-Laws whichever is the lesser amount. A recall election must then be held.

## ARTICLE IX

### MEETINGS

- Section 1. **GENERAL MEMBER MEETINGS:** General Membership meetings of the Association shall be held 4 times a year. A quorum for any meeting shall be 25% of the membership, or 10 members, which ever is the lesser amount.
- Section 2. **ELECTION MEETING:** The election meeting for the election of officer shall be held during the month of **NOVEMBER**, and at least one month prior to the Annual Meeting.
- Section 3. The general membership meeting scheduled for the month of **DECEMBER** shall be deemed to be the **Annual Meeting** of the association. The items of business at the annual meeting shall include the in the **INSTALLATION OF OFFICERS** and the presentation of the annual reports to the membership.
- Section 4. A special General Membership meeting may be called by the President upon 10 days prior written notice to the members, and shall be called by the President with such notice following action of the Executive Board or Written request of 10 members requesting such a meeting.
- Section 5. **ORDER OF BUSINESS:** The usual order of business of meetings shall be:
- A) Call to order and presentation of the agenda
  - B) Reading and acceptance of minutes
  - C) Correspondence, communication and petitions
  - D) Unfinished business
  - E) New business
  - F) Announcements
  - J) Adjournment

**ARTICLE X**

**PARLIAMENTARY AUTHORITY**

Section 1. The rules contained in the latest edition of "Robert's Rules of Order Revised" shall govern this organization in all cases to which they are applicable, and in which they are not inconsistent with the By-Laws.

**ARTICLE XI**

**REVIEW OF BY- LAWS**

Section 1. These By-Laws shall be reviewed by the **By-Laws Committee** of the Association every three years.

Section 2. Amendments to these BY-laws may be proposed by the **By-Laws Committee** or upon written request of at least **10 members**.

Section 3. Written notice containing the content of every proposed By-Law amendment shall be to members of the Association at least on month prior to the regular or special meeting at which the proposed amendments will be considered. Adoption of proposed amendments will be considered. Adoption of a proposed amendment shall require the affirmative vote of at two-thirds of members in attendance at a regular or special meeting, provided that a quorum is present.

Section 4. These By-Laws were prepared by a committee consisting of the following:

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Maxine Batie

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Patrick James M. Tong