

**HOUSING AUTHORITY
OF THE
CITY OF HARTFORD**

**TENANT-COMMISSIONER
SELECTION POLICY & PROCEDURES**

(VERSION 1.1 – SEPTEMBER 5, 2013)

Adopted by the Board of Commissioners

Resolution:

Date:

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I. STATEMENT OF POLICY

A. PURPOSE

The powers of the Housing Authority of the City of Hartford (HACH) are vested in its Board of Commissioners. This document contains HACH's tenant-commissioner selection policies and the supporting procedures. The purpose of the policies is to:

- ensure tenant-commissioner selection process fair and unbiased;
- promote tenant participation in the selection of a tenant-commissioner;
- fulfill the requirements of Conn. Gen. Stat. § 8-41; and
- fulfill the requirements of the HUD regulations found at 24 CFR § 961.

B. APPLICATION

These policies apply to all HACH tenant-commissioner selections for HACH's Board of Commissioners.

HACH will implement any matters relevant to tenant-commissioner selection practices of HACH that it does not address directly with these policies in accordance with:

- the tenant-commissioner selection standards of 24 CFR § 961;
- the tenant-commissioner selection standards of Conn. Gen. Stat. § 8-41.

HACH has determined that because of the broad geographic distribution of HACH Tenants around Hartford (due to its Scatter Sites program and the large number of Housing Choice Vouchers it administrates), it must use an alternate to the traditional process that requires tenants to visit a polling location. Therefore, this policy employs a mail-based selection process, similar to the state's absentee ballot voting procedures, to include more HACH Tenants in the process.

HACH will provide all materials (notices, envelopes, etc.) and postage necessary to conduct an election.

However, since a mail-based selection process shifts costs to HACH, the supporting procedures may incorporate streamlined election procedures that reduce cost, as long as the selection process fulfills this policy's purpose. Furthermore, in an effort to reduce costs, HACH assumes a narrow charge for the impartial entity administering¹ an election: the role that requires broad discretion, validating and counting the ballots. HACH assumes responsibility for supervising all other steps in this policy because they require no or limited discretion, and may be reviewed.

¹ CGS § 8-41(d)

C. PUBLIC ACCESS TO TENANT SELECTION

HACH is a steward of the public trust, so HACH must conduct its business in a manner that will withstand public scrutiny.

HACH tenant-commissioner selection information is a matter of public record to the extent provided in the State *Freedom of Information Act* and HACH shall make it available to the public as provided in that statute.

D. SOURCES

Statutory and regulatory controls found in:

Conn. Gen. Stat. § 8-41, (last amended October 1, 2011)

State law governing the appointment of individuals to HACH's Board of Commissioners, including a tenant-commissioner.

24 CFR § 964; 24 CFR § 961

The HUD regulations that recognize the importance of resident involvement in creating a positive living environment and in actively participating in the overall mission of public housing, including direct participation on HACH's Board of Commissioners.

Other sources used as reference:

Procedure Manual for Counting Absentee Ballots (Sept. 29, 2011), Secretary of the State of Connecticut

A reference for administering absentee-ballot type elections, including references to state law that advise some aspects of this policy.

II. AUTHORITY AND ADMINISTRATION

A. POLICY ADOPTION

Established for the Housing Authority of the City of Hartford (HACH) by a Board of Commissioners' action, and periodically amended, these tenant-commissioner selection policies comply in all respects with state and federal law and regulations.

HACH's Board of Commissioners must review and approve subsequent changes and amendments to these policies.

B. TENANT-COMMISSIONER SELECTION AUTHORITY

HACH's Board of Commissioners hereby delegates HACH's authority to implement this policy to the Executive Director, as HACH's Selection Supervisor.

The Executive Director may authorize another individual, in writing, to act as HACH's Selection Supervisor, or may delegate all or a portion of his or her responsibilities to positions within HACH or to other individuals.

C. CHANGES IN PROCEDURE

HACH's Board recognizes that the process of tenant-commissioner selection is evolving. HACH's Board hereby authorizes the Selection Supervisor to modify any tenant-commissioner selection procedure, as long as the revisions comply with the selection policies adopted by HACH's Board.

D. ROLES

Selection Supervisor is the HACH Executive Director or delegate responsible for overseeing the tenant-commissioner selection process, including notice delivery, petition review, and election preparation.

Selection Administrator is an impartial, third-party individual or entity, engaged by HACH to administer an election to select a Tenant-commissioner Appointee. HACH will solicit suggestions from recognized jurisdiction-wide tenant organization, if any, for an impartial individual or entity.² HACH will use its best efforts to secure a Selection Administrator.³ In the event HACH cannot find a suitable Selection Administrator within 30 days of the delivery of the Vacancy Notice, the Selection Supervisor may appoint an individual or entity to act as Selection Administrator.

² CGS § 8-41(d). The wording the statute is, "To the extent practicable, such impartial entity shall be selected [by the housing authority] with the agreement of the recognized jurisdiction-wide tenant organization, if any." Practically speaking, since *practicable* tempers *agreement*, the housing authority gets final say. Therefore, soliciting advice from the JWTO is the minimum standard suggested by this provision.

³ CGS § 8-41(d)

E. NOTICE LANGUAGE

1. Form

This policy recommends the language for various notices but does not required specific wording. Notice language that is substantially in the form recommended and that complies with state and federal regulation is also acceptable.

2. Languages

All notices required by this policy must include a Spanish language translation of the contents of the notice.

3. ADA Compliance

All notices required by this policy must include a notice that informs the recipient that HACH complies with the Americans with Disabilities Act (ADA) and that if the recipient needs a reasonable accommodation in accordance with the ADA, he or she should to contact the Selection Supervisor.

III. TENANT-COMMISSIONERS

A. COMPOSITION OF HACH'S BOARD OF COMMISSIONERS

In accordance with HACH's bylaws, HACH's Board of Commissioners consists of five members, one of which is a HACH Tenant.

In the event that additional appointments are necessary to achieve compliance with 24 CFR 964.415, HUD-subsidized tenant representation on HACH's board, or Conn. Gen. Stat. § 9-167a, minority political party representation, HACH must conduct a second Tenant-commissioner Appointee selection with Appointees limited to those who meet the narrow requirements of HUD regulations or state law.

B. TENANT-COMMISSIONER RESTRICTIONS

A HACH commissioner:

- may not hold any public office in Hartford; and
- must take the oath of office, in which the tenant-commissioner solemnly swears (or solemnly and sincerely affirms, as the case may be) that he or she will faithfully discharge, according to law, his or her duties as a HACH commissioner, to the best of his or her abilities; so help his or her God, or upon penalty of perjury.⁴

C. TENANT-COMMISSIONER TERM

A tenant-commissioner holds office until his or her successor is appointed and has been qualified.

D. TENANT-COMMISSIONER COMPENSATION

The tenant-commissioner shall serve without compensation, but is entitled to reimbursement for his or her actual and necessary expenses uncured in the performance of his or her official duties.⁵

E. TENANT QUALIFICATIONS FOR NOMINATION AS TENANT-COMMISSIONER

To qualify as a candidate for the position of selected tenant-commissioner, an individual must:

- be a HACH tenant; and
- not hold any public office in Hartford,⁶ except justice of the peace or registrar of voters,⁷ unless he or she commits, in writing, to resign his or her position with the municipality upon appointment to HACH's Board of Commissioners.

⁴ CGS § 8-41 with reference to the first paragraph in CGS §1-25, *Forms of Oath*.

⁵ CGS § 8-41(a)

⁶ CGS § 8-41(a)

⁷ CGS § 8-41(e)

When required, the Selection Supervisor will undertake the tenant-commissioner selection process to select a second tenant-commissioner, if the HACH Board of Commissioners:

- does not contain a HACH HUD Tenant representative; or
- does not meet the qualifications of minority-party representation required by Conn. Gen. Stat. § 9-167a.⁸

The Selection Supervisor must ensure that the second tenant-commissioner meets the requirements of HACH HUD Tenant representation and HACH Board of Commissioners party-diversity. To do this, the Selection Supervisor may limit the second tenant-commissioner, as is necessary, to an individual who is:

- a HACH HUD Tenant;
- not a member of HACH's Boards majority party; or
- both.

At the Selection Supervisor's discretion, the Selection Supervisor may combine the selection process for the tenant-commissioner and second tenant-commissioner, even if the second tenant-commissioner is unnecessary because the elected first tenant-commissioner satisfies the requirement for a HACH HUD Tenant, a minority-party representative, or both.

⁸ CGS § 9-167a requires that for a board of 5 or 6 members, only 4 may be from the same party; and for a board of 7 members, only 5 may be from the same party.

IV. DEFINITIONS AND INTERPRETATION

A. DEFINITIONS

“Tenant-commissioner Appointee” or “Appointee” is the individual selected in accordance with Conn. Gen. Stat. § 8-41 and this policy, who will be appointed by the Mayor to HACH’s Board of Commissioners.⁹

“Tenant” means the lessee or person who:

- is entitled under a rental agreement to occupy a dwelling unit or premises to the exclusion of others or as is otherwise defined by law;¹⁰
- is at least 18 years old; and
- resides in HACH’s jurisdiction.

HACH does not confer to occupants listed on leases (that are not signatories) exclusive right to the property, so they are not Tenants. HACH includes occupants on HACH’s leases only for administrative purposes, including for the purposes of computing proper unit size and acknowledging household members that contribute to household income.

“HACH HUD Tenant” means a tenant who is:¹¹

- a Tenant of HACH’s HUD-subsidized public housing; or
- a Holder of a HACH Tenant-based Housing Choice Voucher (HCV) (e.g., Section 8 voucher holder) with a current lease in the holder’s name assisted by an active Housing Assistance Payment Contract (HAP contract) residing in HACH’s jurisdiction.¹²

“HACH State Tenant” means a tenant who is:

⁹ CGS § 8-41 uses the somewhat awkward and ambiguous phrase “appointee as tenant commissioner.” Although *appointee* is often defined as, “a person who is appointed,” the Oxford English Dictionary defines *appointee* as, “[a] person who is appointed or nominated to an office.” It is this second sense of the word *appointee* to which the statute must refer since any other interpretation leads to contradictions. In short, appointers appoint appointees, so an appointee isn’t a tenant-commissioner until appointer appoints. By § 8-41, the appointer for a city is the chief executive – e.g., the mayor.

¹⁰ CGS § 47a-1(l)

¹¹ 24 CFR § 964.420 provide that, “Residents directly assisted by a public housing agency may elect a resident board member.” *Directly assisted* is defined in 24 CFR § 964.410 as a “resident or a recipient of housing assistance in the tenant-based section 8 program. Direct assistance does not include any State financed housing assistance or Section 8 project-based assistance.”

¹² HCV-holders porting-out of Hartford but not absorbed by the new jurisdiction are not included in elections since HACH does not provide *direct assistance* to the resident, even though HACH pays the HCV-holder’s subsidy. HCV-holders porting in to Hartford can participate once they are residents of Hartford.

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- a Tenant currently living in housing owned or managed by HACH or receiving housing assistance in a housing program directly administered¹³ by HACH;¹⁴ and
 - not a HACH HUD Tenant.¹⁵

“HACH Tenant” means a tenant who is:

- a HACH HUD Tenant or HACH State Tenant; and
- not a live-in aide.

“HACH Tenant Organizations” means all tenant organizations that are:¹⁶

- recognized by the HACH Board of Commissioners;
- governed by bylaws or other adopted procedures;
- in compliance with its governing procedures;
- controlled by duly-elected board of at least five members;
- active, as evidenced by a current Memorandum of Understanding between HACH and the tenant organization¹⁷ or similar working partnership between the tenant organization and HACH;

HACH Tenant Organizations include:

- recognized, duly-elected resident councils;¹⁸
- a recognized, jurisdiction-wide resident council¹⁹ or a recognized, jurisdiction-wide tenant organization;²⁰ and
- other recognized tenant organization meeting HACH requirements.

“HUD” means the United States Department of Housing and Urban Development.

B. INTERPRETATION

All periods of days stated in this policy are calendar days unless otherwise noted.

¹³ “Directly administered” means that HACH receives the subsidy directly from the funding source, which it then provides to the program participant, and does not include programs for which HACH is a sub-contracted administrator for another party.

¹⁴ CGS § 8-41(a)

¹⁵ Note that HACH-administered project-based Housing Choice Voucher tenants are included in this definition and not include in the definition for HACH HUD Tenants.

¹⁶ See, as reference, 24 CFR § 964.115

¹⁷ For resident councils, see 24 CFR § 964.18(10)

¹⁸ 24 CFR § 964.11

¹⁹ 24 CFR § 961.105

²⁰ CGS § 8-41(b)

V. OVERVIEW OF TENANT-COMMISSIONER SELECTION PROCESS

The tenant-commissioner is selected in one of three ways, in the following order:

- 1) HACH Tenants (defined previously) may petition HACH for the direct selection (by election) of a Tenant-commissioner Appointee. If successfully petitioned, HACH will conduct an election by HACH Tenants to select an Appointee. HACH will then report the name of the selected Appointee (or Appointees²¹) to the City's Mayor for appointment as tenant-commissioner; or
- 2) The HACH-recognized jurisdiction-wide tenant organization²² (JWTO), if any, may select a Tenant-commissioner Appointee (or Appointees) in accordance with its bylaws. The JWTO reports the name of the selected Tenant-commissioner Appointee (or Appointees) to HACH. HACH will then report the name of the selected Appointee (or Appointees) to the City's Mayor for appointment as tenant-commissioner; or
- 3) The City's Mayor will select a HACH Tenant for appointment as tenant-commissioner.

²¹ In some circumstances related to the source of a selected tenant-commissioner's subsidy or political party affiliation, a second tenant-commissioner appointee may need to be selected.

²² A jurisdiction-wide *tenant organization* must (1) have a governing board elected through a jurisdiction-wide election, and (2) satisfy the requirements for elected jurisdiction-wide *resident council* pursuant to HUD regulations, except that a HACH Tenant is eligible to vote in any election for its governing board and to serve on the governing board, regardless of being a HACH HUD Tenant.

VI. SELECTION BY TENANT ELECTION

A. INTRODUCTION

By law,²³ HACH Tenants have the right to select a Tenant-commissioner Appointee to HACH's Board or Commissioners. To exercise this right, HACH Tenants must win a petition²⁴ to participate in an election to select the Appointee.

The Tenant-commissioner Appointee is the candidate that receives the greatest number of votes²⁵ in the election to select the Appointee.

HACH will use its best effort to secure an impartial entity to administer the election.²⁶

B. THE TENANT-COMMISSIONER VACANCY NOTICE

1. Notification of Impending Tenant-Commissioner Vacancy

The first step in the selection process is to notify HACH Tenants and all HACH Tenant Organizations that a tenant-commissioner position on HACH's Board of Commissioners is vacant or will soon be vacant.

HACH will notify HACH Tenants and all HACH Tenant Organizations of an impending tenant-commissioner vacancy (the "Vacancy Notice")²⁷ not less than sixty (60) days *prior* to:

- the expiration of the current tenant-commissioner's term; or
- the appointment of a new tenant-commissioner.

2. Vacancy Notice Language

The Selection Supervisor will compose two forms of the Vacancy Notice: one for mailing to each HACH Tenant, and the second to mail to each HACH Tenant Organization and to post publically in HACH's community rooms and in the HACH headquarters' lobby.

Both forms of Vacancy Notice must indicate, as appropriate, that the current tenant-commissioner's:

- term is expiring on a specific date;
- is leaving the position on a specific date; or
- position is current vacant.

²³ CGS § 8-41

²⁴ CGS § 8-41(c)(2)

²⁵ The winner of the election need not get the majority (e.g., more than 50%) of the votes.

²⁶ CGS § 8-41(d)

²⁷ CGS § 8-41(c)(1)

The Vacancy Notice that must state that HACH's Tenants may petition for the first-right to select, via an election conducted by HACH, a Tenant-commissioner Appointee.

For the Vacancy Notice sent to each HACH Tenant, the Selection Supervisor will:²⁸

- announce the right of HACH Tenants to petition the Authority to conduct an election;
- provide instructions for petitioning the Authority;
- state the Petition Cut-off Date; and
- provide nomination instructions and candidate eligibility.

Vacancy Notices sent to each HACH Tenant will also contain a Petition and Nomination Card (see below).

For the Vacancy Notices HACH sends to HACH Tenant Organization and post publically, the Selection Supervisor will:

- announce the right of HACH Tenants to petition the Authority to conduct an election;
- provide instructions for acquiring a Petition and Nomination Card, including contact information; and
- state the Petition Cut-off Date; and
- provide nomination instructions and candidate eligibility.

3. The Petition and Nomination Card

For efficiency reasons, HACH combines the notice of tenant-commissioner vacancy with the petition and nomination process. HACH will include with each Vacancy Notice mailed to a HACH Tenant a Petition and Nomination Card.

The Selection Supervisor will ensure that each Vacancy Notice envelope includes a Petition and Nomination Card for each HACH Tenant at an address.

The Petition and Nomination Card:

- is postcard-sized;
- is pre-addressed with the return address for petitions;
- is a postage-paid response card;
- contains a section notifying the HACH Tenant of his or her right to petition for a Tenant-commissioner Appointee selection election (the "Petition Section"); and

²⁸ CGS §8-41(c)(1)

-
- contains a section notifying the HACH Tenant of his or her right to nominate himself or herself for the election, if a sufficient number of HACH tenants request an election (the “Nomination Section”).

C. TENANT PETITION FOR ELECTION

1. General

HACH will conduct a mail-in petition. HACH permits each HACH Tenant to notify HACH of his or her desire to conduct a Tenant-commissioner Appointee selection election via a postcard provided with the Vacancy Notice.

By law,²⁹ tenants have up to 30 days from the mailing of the Vacancy Notice³⁰ to petition for an election of all HACH Tenants to select a Tenant-commissioner Appointee. The end of the 30-day period is the Petition Cut-off Date.

2. No Petition Required

The Selection Supervisor may waive the HACH Tenant election petition and move to solicit nominations and conduct an election if:

- in the opinion of the Selection Supervisor, the HACH Tenants will successfully petition an election; or
- the recognized jurisdiction-wide tenant organization (see below), if any, has a Tenant-commissioner Appointee selection election process substantially similar to the selection by tenant election described in this section.

3. The Petition Language

The language used on the Petition Card:

- contains the language announcing the opportunity to petition;
- contains a notice to the HACH Tenant that he or she must return the Petition and Nomination Card to HACH’s office by the Petition Cut-off Date;
- requires petitioner’s printed name;
- requires petitioner’s printed address;
- requires petitioner’s signature; and
- requires date of signature.

²⁹ CGS § 8-41(c)(1)

³⁰ CGS § 8-41(c)(2)

4. Petition Tally

The Selection Supervisor will tally all valid Petition and Nomination Cards received by the Petition Cut-off Date. The Selection Supervisor must receive Petition and Nomination Cards before the close-of-business on the Petition Cut-off Date specified in the Vacancy Notice.

The Selection Supervisor may reject petition signatures that:

- are not a HACH Tenant's;
- are not an authentic HACH Tenant signature;
- are duplicates;³¹ or
- are received after the Petition Cut-off Date.

For any rejected petition signature, the Selection Supervisor must:

- mark the card "Rejected;"
- note on the card the reason for the rejection; and
- initial the card.

The Selection Supervisor has the sole discretion to determine the authenticity of a petition signature. The Selection Supervisor will use the HACH lease-of-record as the reference for HACH Tenant addresses and signatures.

The Selection Supervisor need not notify rejected petitioners of his or her rejection of their petition.

5. Successful Petition

To successfully petition for an election, at least seventy-five (75) HACH Tenants³² must return valid signed Petition and Nomination Cards to HACH.

The Selection Supervisor may terminate the petition before the Petition Cut-off Date if he or she receives sufficient valid petition cards to justify an election.

The Selection Supervisor will produce a Petition Certificate summarizing the petition signatures received and declaring the outcome of the petition.

6. Petition Materials Inspection

Within 60 days of a petition's certification by the Selection Supervisor, a HACH Tenant may request, in writing, to inspect the Petition and Nomination Cards received by HACH for the current election. The HACH Tenant's inspection must take place at HACH headquarters under the Selection Supervisor's supervision.

³¹ The Selection Supervisor will retain one of the duplicate signatures.

³² CGS § 8-41(c)(2) reads "ten per cent of the tenants of the authority or seventy-five tenants of the authority, whichever is less." HACH has far more than 750 tenants, so this policy only reflects the alternate minimum.

7. Petition Disputes

Within seven days³³ of a petition's certification by the Selection Supervisor or within seven days of the distribution of the Notice of Election, whichever is later,³⁴ any HACH Tenant may petition³⁵ the Selection Supervisor, in writing, to review and resolve a documented dispute concerning the petition's procedures or results. The Selection Supervisor will publish a final decision, including any corrective actions that may be necessary, within 7 days of receiving the dispute petition. The Selection Supervisor's decision is final and may not be appealed administratively.

D. TENANT-COMMISSIONER NOMINATIONS

1. General

For simplicity, HACH permits each HACH Tenant to nominate himself or herself as a candidate for the position of tenant-commissioner. HACH will only accept self-nominations; HACH will not accept nominations by HACH Tenants of another HACH Tenant.

For efficiency reasons, HACH collects nominations with election petitions during the 30-day petition period,³⁶ ending on the Petition Cut-off Date. To facilitate this process, HACH will include nomination information in the Vacancy Notice and on the Petition and Nomination Card.

Unless otherwise noted, the Nomination Cut-off Date is the same as the Petition Cut-off Date. The Selection Supervisor will not accept nominations after the Nomination Cut-off Date.

HACH believes that the increased participation by HACH Tenants in the petition and nomination process offsets any confusion that might result from a self-nominee wondering why an election did not occur were there to be too few petition signatories, or for other reasons.

2. The Nomination Section

The Nomination Section of the Petition and Nomination Card:

- provides nomination eligibility (e.g., being a HACH Tenant);³⁷

³³ By CGS § 8-41(c)(4) the tenant-commissioner selection by election or by JTWO process must complete within 90 days, otherwise the statute permits the appointment process to short-circuit. A longer dispute petition period (and resolution) may risk delaying the process beyond the 90-day window.

³⁴ In practice, HACH Tenants will know that a petition has been certified because either the Selection Supervisor will distribute the Notice of Election or the Petition Cut-off Date will have passed.

³⁵ *Petition* may seem an unfortunate word choice, but it is the word used by the statute for making election dispute claims, and is used here for consistency.

³⁶ 24 CFR § 964.420(b) requires PHAs to provide residents with "at least 30 days advance notice for nominations and elections." A conservative interpretation of this provision suggests that at least 30 days must be provided for the nomination period.

³⁷ 24 CFR § 964.420(b)

-
- contains the following language: “By signing below, I am a HACH tenant and I am nominating myself for as a candidate for selection as a HACH commissioner;”
 - requires the nominee’s phone number, so that the Selection Administrator can verify the nominee’s interest;
 - requires nominee’s signature; and
 - requires date of signature.

E. QUALIFYING CANDIDATES

1. General

If HACH Tenants successfully petition for an election, the Selection Supervisor will review the valid Petition and Nomination Cards to determine the list of candidates for Tenant-commissioner Appointee.

For each nominee, the Selection Supervisor will contact the nominee, by phone, to confirm the nominee’s acceptance of the nomination and agreement to appear on the ballot as a candidate for the tenant-commissioner election. If the Selection Supervisor cannot contact the nominee by phone, he or she may attempt to contact the nominee by another means, such as by US Mail. However, the Selection Supervisor must not delay the election for more than three days to do so.

The Selection Supervisor will list on the ballot as candidates all HACH Tenants who accept nomination for possible appointment to HACH’s Board of Commissioners.

2. Limited Second Candidate Groups

On occasion, HACH expects that the outcome of a Tenant-commissioner Appointee selection election may require the appointment of a second Tenant-commissioner Appointee. As noted above, this outcome may occur if the first tenant-commissioner is not a HACH HUD Tenant or if HACH’s Board does not meet the qualifications of minority-party representation required by Conn. Gen. Stat. § 9-167a,³⁸ or both.

If HACH anticipates that it may need a second Tenant-commissioner Appointee, it will try to combine both the elections into a single effort, thereby saving time and money. HACH recognizes that selecting from up to four possible candidate groups in a single election may be confusing to a HACH Tenant, but believes that it will be no more confusing than conducting two back-to-back elections, and much less expensive. HACH expects to need a second group of candidates occasionally,³⁹ and to need a third or fourth group of candidates rarely.

³⁸ CGS § 9-167a requires that for a board of 5 or 6 members, only 4 may be from the same party; and for a board of 7 members, only 5 may be from the same party.

³⁹ Because of the current, strong participation by state moderate housing residents.

HACH must constrain the candidates for the second Tenant-commissioner Appointee based on the requirements of HUD and state law. Therefore, on any ballot, HACH may include an election of a second possible Appointee subject to the requirements for a HACH HUD Tenant commissioner or a state minority-party commissioner.⁴⁰

3. Candidate Groups Examples

These examples clarify the circumstances requiring the second, third, and fourth ballot candidate groups described earlier in this policy.

The circumstances requiring the selection from a second alternate candidate group are common. If any candidate in the first candidate group is a HUD State Tenant, then HUD requires that HACH's Board include a second HACH HUD Tenant as tenant-commissioner. Rather than conducting two elections, HACH will require HACH Tenants to select first from among all candidates, then second, from among all HACH HUD Tenant candidates.

Similarly, and more rarely, an alternate candidate group might be required to satisfy minority-party representation law.⁴¹ If the current non-tenant-commissioner Board members are all from the same party,⁴² and the Tenant-commissioner Appointee candidates include an individual from the majority-party and an individual from the non-majority-party,⁴³ then a second Appointee must be limited to non-majority-party members. Again, rather than conducting two elections, HACH will require HACH Tenants to select first from among all candidates, then second from among all candidates who are not majority-party members.

The worst-case, most complex scenario, and one that will be exceedingly rare, is a combination of the two conditions above. Assume the current non-tenant-commissioner Board members are all from the same party and the Tenant-commissioner Appointee candidates include, among others:

- a HACH HUD Tenant majority-party member;
- a HACH State Tenant minority-party member; and
- a HACH State Tenant majority-party member.

If these conditions are all true, then the ballot requires four selections:

- a first selection from among all candidates;

⁴⁰ CGS § 8-41(c)(5), permitting HACH to qualify the second tenant-commissioner as necessary.

⁴¹ CGS § 9-167a

⁴² This scenario is unlikely because it derives from an assumption that the current tenant-commissioner is the minority-party representative, but possible.

⁴³ There must be a non-majority-party candidate because if there isn't, then there is no candidate to satisfy the minority-party requirement, and a second election would be moot. In that case, the Mayor would need to select the second tenant-commissioner.

-
- a second selection from among all non-majority party members (in case the HACH HUD Tenant majority-party member wins the first selection),
 - a third selection from among all HACH HUD Tenants (in case the HACH State Tenant minority-party member wins the first selection); and
 - a fourth selection from among all HACH HUD Tenant non-majority party members (in case the HACH State Tenant majority-party member wins the first selection).

Furthermore, since the need for a candidate from the other groups is conditioned on the HACH Tenant's primary selection, the Selection Supervisor may need to ignore any or all alternate selection results.

This process sounds very complicated, but this complexity will be invisible to a HACH Tenant making the selections. Tenants do not need to know the party affiliation or program for Tenant-commissioner Appointee candidates. The Selection Supervisor will complete that work and form the appropriate selection groups. The result will be a ballot that looks like a Chinese menu: pick one from group 'A,' pick one from group 'B,' etc. From the selections, the Selection Supervisor will determine if he or she must provide one or two Tenant-commissioner Appointees to the Mayor.

4. No Candidates

If there are no nominees or no nominee accepts his or her nomination, then the Selection Supervisor will not conduct an election. Instead, the Selection Supervisor will proceed as though the HACH Tenants did not win a petition to run an election.

5. Single Candidate

If only a single nominee accepts the nomination as a candidate for Tenant-commissioner Appointee, the Selection Supervisor will:

- complete an abbreviated Election Certificate; and
- proceed as though the single candidate won the election.

The abbreviated Election Certificate records:

- an indication that no election occurred;
- the name of the single, winning candidate;
- the date of the determination; and
- the Selection Supervisor's signature.

6. No Second Qualified Candidate

In the rare circumstance where a second Tenant-commissioner Appointee is required for any of the reasons above, and no nominee qualifies as a candidate,

then for that second Tenant-commissioner Appointee only, the Selection Supervisor will act as though the HACH Tenants did not win a petition to run the election of a second Appointee.

F. CANDIDATES' CAMPAIGNS

1. General

HACH expects candidates' campaigns for Tenant-commissioner Appointee to be friendly and fair.

2. Candidates' Statements

HACH encourages each candidate to state his or her qualifications and positions for the HACH Tenants.

To facilitate the communication of the candidate's statements to HACH Tenants, the Selection Supervisor may publish or distribute each candidate's statement.

HACH's preferred means of communicating candidates' statements is publication on HACH's website.

After distributing the Election Notice, the Selection Supervisor may publish all candidates' statements. If the Selection Supervisor chooses to publish candidates' statements, he or she will:

- notify each candidate that he or she may provide HACH with a plain-text, unformatted statement, of a length determined by the Selection Supervisor;
- review each statement to ensure that it is appropriate for general publication; and
- if published on the website, include the website's address in the Election Notice.

3. Candidate Meeting-and-greet

The Selection Supervisor may conduct up to three candidate meet-and-greet events. The Selection Supervisor must determine the date, time, and location of each candidate meet-and-greet, if any, before he or she distributes the Election Notice. The Selection Supervisor must attempt to provide a neutral forum for candidate meet-and-greets.⁴⁴

The Selection Supervisor will publish the schedule of the candidate meet-and-greet events on HACH's website and in the Election Notice.

⁴⁴ Given HACH's widely-distributed HACH Tenant population, which includes Housing Choice Voucher (Section 8) program participants, a neutral forum may be limited to HACH headquarters or a location central to the City.

4. Candidate Campaign Contributions

A campaign contribution is any gift, subscription, loan, advance, payment, deposit of money, or anything of value, accepted by a candidate for financing, directly or indirectly, the candidate's election campaign.⁴⁵

A candidate may spend his or her own money on a campaign. Candidates may *not* accept campaign contributions.

If the Selection Supervisor has reasonable evidence that a candidate accepted a campaign contribution, the Selection Supervisor must:

- disqualify the candidate;
- note the candidate's disqualification on the Election Certificate after submission by the Selection Administrator to the Selection Supervisor;
- report the campaign contribution to the candidate's program administrator as possible income;
- notify the disqualified candidate, in writing, of the reason for the disqualification.

Candidate disqualification does not require the Selection Supervisor to void the election; the election may proceed, as planned.

Disqualified candidates may dispute the election by following the Election Dispute process described below.

G. THE BALLOT PACKAGE

1. General

The Selection Supervisor will create a ballot package for each HACH Tenant and mail it to him or her.

Each ballot package will include:

- an Election Notice;⁴⁶
- Voting Instructions;
- an Outer Mailing Envelope;
- an Inner Secure Ballot Envelope; and
- a ballot.

2. Election Notice

The ballot package contains an Election Notice (see below).

⁴⁵ This language intentionally echoes CGS § 9-601a.

⁴⁶ CGS § 8-41(c)(5)

3. Voting Instructions

The ballot package contains voting instruction. The Voting Instructions state:

- that these are the election materials for selecting a Tenant-commissioner Appointee for the Authority's Board of Commissioners;
- the contents of the election material mailing;
- the Vote Cut-off Date;
- how to use the ballot to cast a vote; and
- when to expect results.

4. The Envelopes

The voting package will contain two envelopes: an Outer Mailing Envelope and an Inner Secure Ballot Envelope.

The Outer Mailing Envelope:

- is large enough to contain the Inner Secure Ballot Envelope;
- is pre-addressed with the Vote Delivery Address; and
- is postage-paid.

The Inner Secure Ballot Envelope:

- is large enough to contain the folded ballot;
- is printed with the HACH Tenant's name and address;
- has a voting statement;
- has a space for the HACH Tenant's signature;
- at the Selection Supervisor's discretion, as a security measure, the Inner Secure Ballot Envelope may also provide a space for the HACH Tenant's birthdate.

The Inner Secure Ballot Envelope's voting statement says:

"I hereby represent that I completed the ballot contained within this envelope and that the signature below is in my own hand."

5. The Ballot

HACH will create the ballot used for the election. HACH will undertake this step because:

- the ballot creation process is transparent and open for review;
- a ballot must accommodate the complicated interactions of law and regulation;

-
- HACH can adjust the form and content of future ballots based on HACH Tenant feedback; and
 - HACH prefers ballot consistency between elections, as much as possible.

The ballot states:

- that it is the ballot;
- instructions for completing the ballot;
- that no other marks are permitted;
- that the voter must not put his or her name on the ballot;
- the Vote Cut-off Date; and
- the candidates, grouped appropriately, if necessary.

The ballot may also require the Selection Supervisor to arrange candidates into groups in order for a single ballot to fulfill the requirements of HUD's regulations and state law. The Selection Supervisor will determine how many candidate groups are required and which group each candidate's name must appear. The first group must contain all candidates' names.

The Selection Supervisor will list each candidate's name on the ballot with sufficient space between each candidate to make circling a candidate's name easy.

The Selection Supervisor may list candidate's name in a random order, using a randomizing method of the Selection Supervisor's choosing.

The Selection Supervisor may list candidate names vertically or horizontally, as space permits.

6. Checking Party Affiliation

In the event that a candidate's party affiliation is required to form the candidate list for the ballot because of minority-party participation law, the Selection Supervisor will contact Hartford's registrar to determine each candidate's party.

H. ELECTION NOTICE

1. General

HACH will begin an election to select the Tenant-commissioner Appointee, if:

- the HACH Tenants successfully petition for an election; and
- there is at least one qualified candidate,

By law, HACH Tenants have up to 30 days from the mailing of the Election Notice⁴⁷ to vote to select a Tenant-commissioner Appointee. The end of the 30-day period is the Voting Cut-off Date.

The Selection Supervisor will send a voting package to each HACH Tenant. If more than one HACH Tenant lives at the same address, the Selection Supervisor will send a voting package to each HACH Tenant at the address.

2. Election Notice Language

The Selection Supervisor will compose two forms of the Election Notice: one for mailing to each HACH Tenant, and the second for public posting in HACH's community rooms and in the HACH headquarters' lobby.

The notice will state the Voting Cut-off Date.

The mailed Election Notice states:

- that HACH is conducting an election to select a Tenant-commissioner Appointee;
- the website address of candidates' statements, if such a site is being provided;
- the schedule of the candidate meet-and-greet events, if any;
- who is receiving the votes for validation and tallying;
- where votes must be mailed and that a pre-addressed, postage-paid envelope has been provided; and
- that the HACH Tenant's vote must be received by the Voting Cut-off Date.

The posted Election Notice states:

- that HACH is conducting an election to select a Tenant-commissioner Appointee;
- the website address of candidates' statements, if such a site is being provided;
- the schedule of the candidate meet-and-greet events, if any;
- that Election materials, including a ballot, have been mailed to all tenants;
- who to contact to get replacement election materials; and
- that the HACH Tenant's vote must be received by the Voting Cut-off Date.

⁴⁷ CGS § 8-41(c)(5)

I. RECEIVING THE VOTES

1. Vote Delivery Address

The Selection Supervisor will rent a post-office box for receiving votes. The address of the post-office box is the Vote Delivery Address. Only the Selection Supervisor and the Selection Administrator are permitted to collect ballots from the post-office box.

HACH will also accept ballots delivered to HACH's main office, either by mail or by hand. HACH's main office staff must route ballots delivered to HACH's main office to the Selection Supervisor for safekeeping until picked up by the Selection Administrator.

2. Collecting Votes

The Selection Administrator will periodically collect ballots from the Vote Delivery Address and HACH's main office, and securely store the ballots until the Voting Cut-off Date. At the end-of-business on the Voting Cut-off Date, the Selection Administrator will collect the last batch of ballots from the Vote Delivery Address and HACH's main office.

3. HACH Staff

The Selection Supervisor will accept ballots delivered to HACH's main office. HACH staff must not receive ballots unless directed to do so by the Selection Supervisor.

The Selection Supervisor may permit staff to collect a ballot as a reasonable accommodation to a disabled tenant.

4. Date-Stamping

As the Selection Administrator receives ballots, and before storing them, he or she must date-stamp each Outer Mailing Envelope with the date of receipt.

If the HACH Tenant does not provide an Outer Mailing Envelope, the Selection Administrator must date-stamp the Inner Secure Ballot Envelope with the date of receipt.

5. Stored Votes

The Selection Administrator must secure ballots in a safe location selected by the Selection Administrator. The Selection Administrator must not permit HACH staff, including the Selection Supervisor, access to the secure location, unless authorized by a written statement from the Selection Supervisor that must include the reason for the administrative exception.

J. COUNTING THE VOTES

1. Overview

The Selection Administrator will validate ballots and summarize the votes. If the Selection Administrator deems the ballot valid, he or she must separate the ballot-envelope from the ballot to maintain the integrity of the secret ballot. The envelopes and the ballots must be retained for auditing purposes.

The Selection Administrator will then report its findings to HACH, who will then report the results to the Mayor of Hartford, so that the Mayor may select and appoint the new tenant-commissioner (or tenant-commissioners).

2. Validating Ballots

Step 1: Determining the Total Number of Ballots

The Selection Administrator records on the Election Certificate the total number of ballots received for use in the final reconciliation step.

Step 2: Validating Date Received

The Selection Administrator checks each Outer Mailing Envelope for its date-stamp. The Selection Administrator must reject any ballot where:

- the Outer Mailing Envelope is not date-stamped; or
- is date-stamped with a date that is after the Voting Cut-off Date.

If the Selection Administrator rejects a ballot, he or she must reject the ballot by:

- writing on the envelope “Rejected – Received after Voting Cut-off Date;” and
- setting the envelope aside for reporting on the Election Certificate.

If the HACH Tenant did not provide an Outer Mailing Envelope (for instance, if the HACH Tenant delivers the ballot to HACH’s main office by hand with only the Inner Secure Ballot Envelope), the Selection Administrator validates the Inner Secure Ballot Envelope for the date-stamp in the same fashion as above.

Step 3: Validating the Inner Secure Ballot Envelope

The Selection Administrator will open each Outer Mailing Envelope, if any, that he or she has not labeled “Rejected,” and remove the Inner Secure Ballot Envelope.

The Selection Administrator must examine each Inner Secure Ballot Envelope.

The HACH Tenant must sign the statement printed on each Inner Secure Ballot Envelope.⁴⁸ If the HACH Tenant did not sign the statement, the Selection Administrator must reject the ballot by:

⁴⁸ See, as reference, CGS § 9-150a(d)

-
- putting the Inner Secure Ballot Envelope back in the Outer Mailing Envelope (if there is one);
 - writing on the outermost surface “Rejected – Statement Not Signed;” and
 - setting the envelope aside for reporting on the Election Certificate.

The HACH Tenant must use the Inner Secure Ballot Envelope. If the HACH Tenant did not insert his or her ballot in an Inner Secure Ballot Envelope, the Selection Administrator must reject the ballot by:

- putting the ballot back into the Outer Mailing Envelope (if provided);
- writing the outermost surface “Rejected -- Ballot Not Inserted in Inner Secure Ballot Envelope,”⁴⁹ and
- setting the envelope aside for reporting on the Election Certificate.

The HACH Tenant need not seal the Inner Secure Ballot Envelope containing a ballot. The Selection Administrator must not reject a ballot with an unsealed Inner Secure Ballot Envelope for this reason.

The HACH Tenant need not provide his or her birthdate date on the Inner Secure Ballot Envelope (when required). The Selection Administrator must not reject a ballot without a birthdate (when required) for this reason. Instead, the Selection Administrator must process the ballot by:

- writing “No Birthdate” in the space provided for a birthdate; and
- continuing to review the ballot.

Step 4: Validating signatures

For all ballots not labeled “Rejected,” the Selection Administrator must validate the HACH Tenant’s signature on the Inner Secure Ballot Envelope with a reference signature taken from the HACH Tenant’s lease.

The Selection Administrator has sole discretion to determine if a signature matches or not. If the Selection Administrator determines that the signature does not match its reference, the Selection Administrator must reject the ballot by:

- putting the Inner Secure Ballot Envelope back in the Outer Mailing Envelope (if provided);
- writing on the outermost surface “Rejected – Signatures Do Not Match;”
- setting the envelope aside for reporting on the Election Certificate.

⁴⁹ See, as reference, CGS § 9-140a

Step 5: Opening the Inner Secure Ballot Envelopes

For all ballots not labeled “Rejected,” the Selection Administrator must process the ballot by:

- opening the remaining Inner Secure Ballot Envelopes; and
- removing the ballots, leaving them folded so that the markings cannot be seen (to preserve the secrecy of the vote); and
- placing the Inner Secure Ballot Envelope back into the Outer Mailing Envelope and putting the envelopes aside for later auditing.

When the Selection Administrator has removed all ballots from their Inner Secure Ballot Envelopes, he or she must:

- shuffle the folded ballots; and
- unfold them for counting.

3. Validating Votes

For HACH, the HACH Tenant’s intent governs.

If the ballot is properly marked, the HACH Tenant’s intent is clear. However, ballots may not be properly marked. In those cases, the Selection Administrator has sole discretion to determine the HACH Tenant’s intent.

The HACH Tenant may not mark a ballot to provide a means of identifying the HACH Tenant who cast it.⁵⁰ If the Selection Administrator determines, in his or her sole discretion, that the HACH Tenant has marked the ballot to identify himself or herself, the Selection Administrator must reject the ballot by:

- writing on the back of the ballot “Rejected – Identifying Marks on Ballot;”
- setting the ballot aside for reporting on the Election Certificate.

The HACH Tenant may leave a ballot (or candidate group) blank (e.g., without a selection). If the HACH Tenant leaves a ballot (or candidate group) blank, the Selection Administrator must process the ballot by:

- writing in the blank candidate group selection area “Left Blank;” and
- continuing to review the ballot.

The Selection Administrator must reject the HACH Tenant’s selection within a candidate group, if in the sole opinion of the Selection Administrator, the selection:

- Is improperly marked;

⁵⁰ HACH does not want the tenant-commissioner to favor a particular HACH Tenants with evidence that he or she voted for the tenant-commissioner.

-
- selects more than one candidate;
 - selects a write-in candidate.

If the Selection Administrator rejects a selection in a candidate group for any of the above reasons, the Selection Administrator must reject the candidate group selection by:

- writing in the rejected candidate group selection area “Rejected – Selection Improperly Marked,” followed by the reason for the rejection; and
- continuing to review the ballot.

4. Counting Votes

Any ballots that have not been marked “Rejected” in the previous steps are valid. For all valid ballots, the Selection Administrator will tally the votes for each candidate in each candidate group, if applicable, making a special count of candidate groups left blank or improperly marked.

5. Certifying the Election

When the count is complete, the Selection Administrator must certify the election. The Selection Administrator certifies the election by signing an Election Certificate. The Election Certificate records:

- the total number of ballots received;
- the total number of ballots rejected;
- the total number of ballots counted;
- the number of votes cast for each candidate in each candidate group, if applicable, including those left blank and improperly marked;
- the date of the count; and
- the Selection Administrator’s signature.

The Selection Administrator must mark as the winner the candidate in each candidate group with the greatest number of votes. If more than one candidate in a candidate group gets the greatest number of votes, the Selection Administrator will resolve the tie as set forth below.

As a final reconciliation, the total ballots counted and the sum of the votes cast for each candidate must match. In addition, the total ballots received must match the total ballots rejected plus the total ballots counted.

Once completed, the Selection Administrator provides the Selection Supervisor with:

- a completed Election Certificate;

-
- all envelopes; and
 - all ballots.

The Selection Administrator must deliver the Election Certificate and the election materials to the Selection Supervisor as quickly as possible.

6. Resolving Tie Votes

If two (or more) candidates received the greatest number of votes within a candidate group then the Selection Administrator will determine the winner of the candidate group by the coin flip of a fair coin.⁵¹ The Selection Administrator must state the rules guiding the coin flip and assign each candidate his or her side of the coin before the flip. The candidates need not be present.

The Selection Administrator must mark the candidate that wins the coin flip the election winner on the Election Certificate.

7. Public Observation

Members of the public may observe ballot counting conducted by the Selection Administrator, but they may not be so close that they can see the actual vote.⁵²

Members of the public may observe the Selection Administrator performance of tie resolution, if required.

8. Election Materials Inspections

Within 60 days of an election's certification by the Selection Administrator, any person⁵³ may request, in writing, to inspect the election materials. The inspection must take place at HACH headquarters under the Selection Supervisor's supervision.

K. ELECTION DISPUTES

Within 14 days of an election's certification by the Selection Administrator, any person⁵⁴ may petition the Selection Administrator or the Selection Supervisor, in writing, to review and resolve a documented dispute concerning the election's procedures, disqualifications, or results.⁵⁵ The Selection Administrator will write a report of his or her findings and recommended resolution, and provide it to the Selection Supervisor within 10 days. The Selection Supervisor will publish a final decision, including any corrective actions that may be necessary, within 10 days of receiving the Selection Supervisor's report. The Selection Supervisor's decision is final and may not be administratively appealed.

⁵¹ See http://en.wikipedia.org/wiki/Coin_flipping

⁵² See, as reference, CGS § 9-147a, 9-147c

⁵³ CGS § 8-41(d) states that "any person" may petition the administering entity.

⁵⁴ CGS § 8-41(d) states that "any person" may petition the administering entity.

⁵⁵ CGS § 8-41(d)

This dispute procedure does not apply to petition disputes. Please refer to the petition dispute section, above.

L. NOTIFYING THE MAYOR

After receiving the Selection Administrator’s Election Certificate, if there is more than one candidate group, the Selection Supervisor will review the winning candidates to determine if, in accordance with the laws and regulations that govern this policy, the election result requires the appointment of one or two Tenant-commissioner Appointees. The Selection Supervisor will note his or her findings on the Election Certificate and initial them.

The Selection Supervisor will then notify Hartford’s Mayor of the HACH Tenants’ Tenant-commissioner Appointee or Appointees.

M. DOCUMENT RETENTION

1. Petition and Nomination Card Retention

The Selection Supervisor will retain Petition and Nomination Cards for a period of 60 days after an election’s certification.⁵⁶ After that period, the Selection Supervisor may destroy the Petition and Nomination Cards, unless there is an active dispute.

2. Envelope and Ballot Retention

The Selection Supervisor will retain the envelopes, the ballots, and the Selection Administrator’s notes for a period of 180 days after the election’s certification. If after that period no contest is pending, the Selection Supervisor may destroy the election material, retaining only the Election Certificate,⁵⁷ unless there is an active dispute.

3. Election Certificate Retention

The Selection Supervisor must retain the Election Certificate for a minimum of seven years.

⁵⁶ There is no statute that covers record retention for election petitions but this tracks the ballot retention policy.

⁵⁷ See, as reference, CGS § 9-150b(f)

VII. SELECTION BY JURISDICTION-WIDE TENANT ORGANIZATION

A. INTRODUCTION

In the event the HACH Tenants do not win a petition to elect the Tenant-commissioner Appointee,⁵⁸ the recognized jurisdiction-wide tenant organization (JWTO), if any, may select the Tenant-commissioner Appointee by means provided for in the adopted bylaws of the organization.⁵⁹

The JWTO bylaws may provide for the selection of the Tenant-commissioner Appointee by:⁶⁰

- a fair election of HACH Tenants;
- selection by the JWTO's governing board; or
- any other means.

B. RECOGNIZED ORGANIZATIONS

To qualify as a recognized JWTO, the organization must:⁶¹

- have a governing board that is elected through a jurisdiction-wide election;
- satisfy the requirements for an elected HUD jurisdiction-wide resident council,⁶² except that any HACH Tenant may vote in any election for the governing board and serve on the governing board;
- be recognized as HACH's sole JWTO by HACH's Board of Commissioners; and
- be in compliance with its bylaws.

C. SELECTION NOTIFICATION

Once the recognized JTWO selects a Tenant-commissioner Appointee in accordance with its bylaws, the JTWO chairperson will send to the Selection Supervisor a written notice of the JTWO's selection.

D. NOTIFYING THE MAYOR

The Selection Supervisor will notify Hartford's Mayor of the JWTO's Tenant-commissioner Appointee shortly after receiving the JWTO chairperson's notice of selection.

⁵⁸ CGS § 8-41(c)(2)

⁵⁹ CGS § 8-41(c)(3)

⁶⁰ CGS § 8-41(c)(3)

⁶¹ CGS § 8-41(b)

⁶² 24 CFR § 964.105(a)

VIII. SELECTION BY MAYOR

A. INTRODUCTION

If within 90 days of the distribution of the Vacancy Notice a Tenant-commissioner Appointee has not been selected by an election of HACH Tenants or in accordance with the JTWO's bylaws, then the Mayor of the City of Hartford shall select the Tenant-commissioner Appointee.

In making his or her selection, the Mayor shall consider any tenant recommended by:

- any Hartford-based tenant organization; or
- HACH's recognized jurisdiction-wide tenant organization (JTWO).

IX. SAMPLE FORMS

A. VACANCY NOTICE – TENANT ORGANIZATIONS AND PUBLIC POSTING

TENANT-COMMISSIONER VACANCY NOTICE

To: All Tenant Organizations and All Tenants of the Authority

From: {*Executive Director*}, Executive Director

[*One of the following, based on circumstance*]

The Housing Authority of the City of Hartford is notifying you, a tenant of the Housing Authority of the City of Hartford, that the term of the tenant-commissioner of the Authority's governing Board of Commissioners is expiring on {*date of end of term*}.

{*or*}

The Housing Authority of the City of Hartford is notifying you a tenant of the Housing Authority of the City of Hartford, that the term of the tenant-commissioner of the Authority's governing Board of Commissioners will be vacant on {*date of end of term*}.

{*or*}

The Housing Authority of the City of Hartford is notifying you a tenant of the Housing Authority of the City of Hartford, that the term of the tenant-commissioner of the Authority's governing Board of Commissioners is currently vacant.

[Adjust the following if a recognized JWTO exists]

As a tenant of the Authority, you and your fellow tenants may choose to participate in the selection of a new tenant-commissioner. To do so, at least seventy-five Authority's tenants must sign a petition requesting a tenant-commissioner election. If you succeed in petitioning for an election, the Authority will engage an impartial organization to administer fair election of all tenants of the Authority to select a tenant-commissioner appointee. If you do not succeed in petitioning for an election, Hartford's City Council will select the tenant-commissioner.

How to Petition for an Election:

If you would like the Authority to conduct an election, please check your mailbox for a *Petition and Nomination Card* and return it as instructed. If you have not received a *Petition and Nomination Card*, please contact the Authority: {*Selection Supervisor contact information*}.

Your *Petition and Nomination Card* must be received by the Authority no later than {*Petition Cut-off Date*} for it to be counted.”

Eligible Petitioners:

To sign a *Petition and Nomination Card*, you must be a lessee of the Authority or a lessee in a unit receiving assistance from the Authority (such as Section 8 assistance). That is, you must have signed a lease with the Authority or have signed a lease with a private owner who is receiving assistance from the Authority on your behalf.

ADA Notice

The Authority complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, please contact the Authority at {*Authority ADA contact information*}.

A. VACANCY NOTICE – TENANT MAIL INSERT

TENANT-COMMISSIONER VACANCY NOTICE

To: Tenant of the Authority

From: The Housing Authority of the City of Hartford

[One of the following, based on circumstance]

The Housing Authority of the City of Hartford is notifying you, a tenant of the Housing Authority of the City of Hartford, that the term of the tenant-commissioner of the Authority's governing Board of Commissioners is expiring on *{date of end of term}*.

{or}

The Housing Authority of the City of Hartford is notifying you a tenant of the Housing Authority of the City of Hartford, that the term of the tenant-commissioner of the Authority's governing Board of Commissioners will be vacant on *{date of end of term}*.

{or}

The Housing Authority of the City of Hartford is notifying you a tenant of the Housing Authority of the City of Hartford, that the term of the tenant-commissioner of the Authority's governing Board of Commissioners is currently vacant.

As a tenant of the Authority, you and your fellow tenants may choose to participate in the selection of a new tenant-commissioner. To do so, at least seventy-five Authority's tenants must sign a petition requesting a tenant-commissioner election. If you succeed in petitioning for an election, the Authority will engage an impartial organization to administer fair election of all tenants of the Authority to select a tenant-commissioner appointee. If you do not succeed in petitioning for an election, Hartford's City Council will select the tenant-commissioner.

How to Petition for an Election:

As a tenant of the Authority, you can petition the Authority to conduct an election to select a tenant-commissioner appointee. If you would like the Authority to conduct such an election, please fill out and return the enclosed *Petition and Nomination Card to the Authority by {Petition Cut-off Date}*. No postage is necessary.

Eligible Petitioners:

To sign a *Petition and Nomination Card*, you must be a lessee of the Authority or a lessee in a unit receiving assistance from the Authority (such as Section 8 assistance). That is, you must have signed a lease with the Authority or have signed a lease with a private owner who is receiving assistance from the Authority on your behalf.

ADA Notice

The Authority complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, please contact the Authority at *{Authority ADA contact information}*.

B. PETITION AND NOMINATION CARD

This postcard serves two purposes. Part I is where you may petition for an election by signing your name. Part II is where you may nominate yourself, as a tenant of the authority, as a candidate in the election, if conducted, by signing your name.

This card must be received by the Authority by {Petition Cut-off Date} to be counted. This card's postage is pre-paid.

PART I: PETITION FOR AN ELECTION

I hereby petition the Housing Authority of the City of Hartford to conduct an election to select a tenant-commissioner appointee for the Authority's Board of Commissioners.

Signed: _____ Date: _____

{HACH Tenant's name and address – mail merged}

PART II:

I hereby nominate myself, a tenant of the authority, as a candidate in the election to select a tenant-commissioner appointee for the Authority's Board of Commissioners.

Signed: _____ Date: _____

C. PETITION CERTIFICATE

TENANT-COMMISSIONER APPOINTEE ELECTION PETITION CERTIFICATE

To: Tenants of the Authority

From: {*Selection Supervisor's Name*}, Selection Supervisors

I hereby certify that the Housing Authority of the City of Hartford (HACH) has, in accordance with *HACH Tenant-Commissioner Selection Policy* and Conn. Gen. Stat. § 8-41:

- notified all tenant organizations and tenants of the authority of the pending vacancy of HACH's Board of Commissioner's tenant-commissioner;
- provided tenants of the authority information concerning the procedures by which tenants of the authority may petition for an election pursuant to Conn. Gen. Stat. § 8-41(c).

Petition Summary

I received _____ petition signatures.

I rejected _____ petition signatures in accordance with policy.

Having received _____ valid petition signatures by the {Petition Cut-off Date}, I hereby certify that the tenants of the Authority:

- HAVE SUCCESSFULLY PETITIONED HACH TO CONDUCT AN ELECTION
- HAVE NOT* SUCCESSFULLY PETITIONED HACH TO CONDUCT AN ELECTION

Signed: _____ Date: _____

{*Name of Selection Supervisor*}

D. ELECTION NOTICE – PUBLIC POSTING

TENANT-COMMISSIONER APPOINTEE ELECTION

To: All Tenants of the Authority

From: The Housing Authority of the City of Hartford

The Housing Authority of the City of Hartford hereby notifies the tenants of the Authority that it is conducting an election to select a tenant-commissioner appointee.

The Authority has mailed election materials, including ballots, to all tenants of the authority. If you have not received your election materials, please contact the {*Selection Supervisor*} at {*Selection Supervisor contact information*}.

Please follow the voting instructions included in your election materials to cast your vote.

Your vote must be received by the {Selection Administrator} at {Vote Delivery Address} by the {Voting Cut-off Date} for your vote to count.

For more information, please contact {*Selection Supervisor*} at {*Selection Supervisor contact information*}.

[A list of candidates and their statements can be found at *website address*.]

[The Authority will be conducting candidate meet-and-greet(s) on: *date, time, location*.]

The Authority complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, please contact the Authority at {*Authority ADA contact information*}.

E. BALLOT PACKAGE – ELECTION NOTICE

TENANT-COMMISSIONER APPOINTEE ELECTION

To: All Tenants of the Authority

From: The Housing Authority of the City of Hartford

The Housing Authority of the City of Hartford hereby notifies you, a tenant of the authority, that it is conducting an election to select a tenant-commissioner appointee. Your vote must be received by the {Selection Administrator} at {Vote Delivery Address} by the {Voting Cut-off Date} for your vote to count.

The Authority is conducting this vote by mail. All postage is pre-paid. Follow the voting instructions included in this package to cast your vote.

[A list of candidates and their statements can be found at *website address*.]

[The Authority will be conducting candidate meet-and-greet(s) on: *date, time, location*.]

The Authority complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, please contact the Authority at {*Authority ADA contact information*}.

F. BALLOT PACKAGE – VOTING INSTRUCTIONS

VOTING INSTRUCTIONS

Please read these instructions before marking your ballot.

You must use these voting materials to select a tenant-commissioner appointee for the Housing Authority of the City of Hartford’s Board of Commissioner’s.

Your vote must be received by {Vote Cut-off Date} for it to be counted.

These voting materials include:

- an election notice;
- these instructions;
- a ballot;
- a small ballot envelope in which to securely hold your completed ballot; and
- a large envelope to send your sealed ballot to {the Selection Administrator} for counting.

If you are missing any of these voting materials, please contact *{the Selection Supervisor}* at *{Selection Supervisor contact information}*.

Now follow these steps:

[Subject to the number of groups, include one of the following:]

1) Read and follow the directions on the ballot to select your preference for tenant-commissioner appointee. Select your preference by completely circling the name of the candidate you prefer. Do *not* make any other marks on the ballot. Do *not* put your name on the ballot.

[Or]

1) Read and follow the directions on the ballot to select your preference for tenant-commissioner appointee. This election requires more than one group of candidates. Select your preference in each group of candidates by completely circling the name of the candidate you prefer. Please only circle one candidate in each group. **DO NOT** make any other marks on the ballot. **DO NOT** put your name on the ballot.

2) After you have marked your ballot, fold the ballot and insert the ballot into the Secure Ballot Envelope provided. Once your ballot is inserted, seal the Secure Ballot Envelope.

3) Sign the statement on the Secure Ballot Envelope. A Secure Ballot Envelope without your signature will be rejected.

4) Insert the Secure Ballot Envelope containing your ballot into the larger Mailing Envelope, seal it, and place it in the mail. The Mailing Envelope's postage is pre-paid.

HACH will announce the winner of the election shortly after the *{Vote Cut-off Date}*.

If you have any questions concerning the voting process, please contact *{the Selection Supervisor}* at *{Selection Supervisor contact information}*.

The Authority complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, please contact the Authority at *{Authority ADA contact information}*.

G. BALLOT PACKAGE – OUTER MAILING ENVELOPE

The Outer Mailing Envelope is:

- pre-addressed with the Vote Delivery Address;
- is pre-posted as business reply mail; and

The Outer Mailing Envelope is marked as the “MAILING ENVELOPE. POSTAGE IS PRE-PAID.”

H. BALLOT PACKAGE – INNER SECURE BALLOT ENVELOPE

The following text should cover as much of the envelope as possible to make clear that it is not for mailing.

SECURE BALLOT ENVELOPE

Use this envelope to secure your tenant-commissioner appointee ballot. After marking your ballot, fold the ballot and insert it into this envelope, sign the statement below, and insert this secure ballot into the postage-paid, mailing envelope provided.

I hereby represent that I completed the ballot contained within this envelope and that the signature below is in my own hand.

Signed: _____ Date: _____

{HACH Tenant's name and address – mail merged}

I. BALLOT PACKAGE – BALLOT, ONE CANDIDATE GROUP

TENANT-COMMISSIONER APPOINTEE ELECTION BALLOT

This is your ballot for voting for your preference for tenant-commissioner appointee for the Housing Authority of the City of Hartford’s Board of Commissioners.

Select your preference by *completely circling* the name of the one candidate you prefer. *Do not* make any other marks on the ballot. *Do not* put your name on the ballot.

When you have made your selection, place this ballot inside the Secure Ballot Envelope and the Mailing Envelope, provided, and drop it in the mail.

Ballots must be received by {Vote Cut-off Date} to be counted.

Example:  John Doe

CHOOSE ONE CANDIDATE FROM THOSE LISTED BELOW:

{Candidate 1}

{Candidate 2}

J. BALLOT PACKAGE – BALLOT, MORE THAN ONE CANDIDATE GROUP

TENANT-COMMISSIONER APPOINTEE ELECTION BALLOT

This is your ballot for voting for your preferences for tenant-commissioner appointee for the Housing Authority of the City of Hartford’s Board of Commissioners. This election may require more than one tenant-commissioner appointee, so this ballot is split into *{number of groups}* groups. Each group is independent. You may pick the same name in every group if that name appears in every group.

Select your preferences by *completely circling* the name of the one candidate you prefer *in each group*. Do not make any other marks on the ballot. Do not put your name on the ballot.

When you have made your selections, place this ballot inside the Secure Ballot Envelope and the Mailing Envelope, provided, and drop it in the mail.

Ballots must be received by *{Vote Cut-off Date}* to be counted.

Example:  John Doe

GROUP ONE: CHOOSE *ONE* CANDIDATE FROM THOSE LISTED IN THIS GROUP:

{Candidate 1} {Candidate 2} {Candidate 3}

GROUP TWO: CHOOSE *ONE* CANDIDATE FROM THOSE LISTED IN THIS GROUP:

{Candidate 1} {Candidate 3}

GROUP THREE: CHOOSE *ONE* CANDIDATE FROM THOSE LISTED IN THIS GROUP:

{Candidate 2} {Candidate 3}

K. ELECTION CERTIFICATE

TENANT-COMMISSIONER ELECTION CERTIFICATE

To: {*Selection Supervisor's Name*}, Selection Supervisors

From: {*Selection Administrator's Name*}, Selection Administrator

I hereby certify that the {*Selection Administrator's Name*}, acting as Selection Administrator, and in accordance with *HACH Tenant-Commissioner Selection Policy* and Conn. Gen. Stat. § 8-41:

- is an impartial individual or entity;
- has administrated an tenant-commissioner appointee election for the Housing Authority of the City of Hartford (the Authority); and
- has administered the election fairly.

The Selection Administrator finds that:

_____ ballots were received before {*Vote Cut-off Date*}

_____ ballots were rejected as being improperly formed

For the remaining valid ballots, the Selection Administrator tallied the votes [for each group] and find that the following candidates received the number of votes listed after their name:

[GROUP ONE, if more than one group]

Candidate 1 _____

Candidate 2 _____

Candidate 3 _____

Left Blank _____

Improperly Marked _____

[GROUP TWO, if necessary]

Signed: _____ Date: _____

{*Name of Selection Administrator*}

X. REVISION HISTORY

1. Version 1.0 [not adopted]

Policy created.

2. Version 1.1

Added a policy stating that the Tenant-commissioner Appointee election winner is the candidate in each candidate group that gets the greatest number of votes. The election winner need not get a majority of votes.

Added a procedural mechanism to resolve tie votes in Tenant-commissioner Appointee election.

Added a procedural mechanism whereby the Selection Supervisor reviews the Election Certificate to determine if more than one Tenant-commissioner Appointee is required before reporting the results of the election to Hartford's Mayor.