

TENANT BOARD OF COMMISSIONER POLICY

Chapter 235 of the Acts of 2014, An Act Relative to Local Housing Authorities, required local housing authorities in towns to have a designated Tenant seat on their Board of Commissioners. On January 14, 2021, Governor Charles Baker signed a law with amendments to MGL Chapter 121B regarding Tenant Board Members in towns.

The term of the Billerica Housing Authority Tenant Board Member is five (5) years. Pursuant to the statutory requirements, the Tenant Board Member is appointed by the Billerica Select Board from a list of names submitted by eligible individuals (tenants or authorized adult household members residing in public housing in the Town or authorized adult members of households participating in a rental assistance program administered by the BHA in the Town) to the Billerica Town Clerk and forwarded to the Select Board for consideration. This policy addresses the process relative to notifying tenants of a vacancy in that seat.

Based upon requirements of the statute as referenced above, the following shall be the Policy for filling a vacancy of the Town Appointed Tenant Member position of the Housing Authority Board of Commissioners:

(1) At least thirty (30) days before a term is to expire or immediately after a vacancy occurs for any other reason, the BHA shall provide notices to residents of such vacancy as follows:

- a. Post notices in the common rooms at 33 Talbot Avenue, 13 River Street and 16 River Street;
- b. Send written notices to each public housing tenant household;
- c. Post notice on the BHA website;

(2) Said notice shall inform residents that if they wish to be considered for the Town Appointed Tenant Board Member position, they must submit their name to the Billerica Town Clerk within thirty (30) days of the receipt of the notice. The notice shall include contact information for the Billerica Town Clerk as well as any independent training programs available to Tenant Board Members.

Should the Town not receive any names from tenants within sixty (60) days of the notice to BHA residents, the Billerica Select Board shall appoint an eligible tenant member of its choosing to the Town Appointed Tenant Board Member seat. If there is no person who is eligible and willing to serve as the Town Appointed Tenant Board Member, the BHA may seek a waiver from EOHLC of the requirement that the Town appoint a Tenant.

No provision of this Policy shall supersede or conflict with any law, Acts of the Legislature, or regulation of EOHLC. To ensure compliance, this Policy may be amended, as required, at any time in the same manner in which it was adopted.

If any provision of this Policy shall be held or made invalid by a court decision, statute or rule, or shall be otherwise rendered invalid, the remainder of this Policy shall not be affected thereby.

Adopted by the Billerica Housing Authority Board of Commissioners on May 9, 2024