

2024 THA Conference

EFFECTIVE OVERSIGHT/SUCCESSION PLANNING

TOPICS

- I. Relationship Between PHA, HUD
- II. Role of HUD, Board, ED
- III. Things to consider when hiring ED
- IV. Training and other good practices
- V. *Feedback /Discussion - How Can We Better Assist Board in Providing Effective Oversight of HUD Programs?*

PHA RELATIONSHIP

- ✘ PHAs created under State Law
 - + Section 392 of Local Govt Code
- ✘ Cooperation Agreement with City/County
- ✘ Annual Contributions Contract with HUD
 - + If you accept these funds, you must follow these rules

ROLE OF HUD

- ✘ Funding And Oversight Of HUD Programs
 - + Work In Partnership With PHAs To Ensure Effective and Efficient Use of HUD Programs
 - + Enforce Terms of ACC
- ✘ Enforce Regulations While Respecting Local Autonomy Of PHA

OTHER REGULATIONS

- Follow all State and Local Laws
- Fair Housing Laws
- State and Federal Employment Laws
- All Laws Applicable to any other business

ROLE OF COMMISSIONERS

- THA has another session on this topic that will go into greater detail
- Review and approve policies and procedures to establish sound internal controls – HOTMA policy decisions needed
- Approve and monitor budgets - proper and effective use of funds
- Oversight of agency performance to achieve results
- Hire and evaluate performance of a qualified Executive Director to oversee day-to-day operations

ROLE OF EXECUTIVE DIRECTOR

The focus of the ED's role is management and operations

- Coordinate and prepare all HA operating budgets
- Collect rents and enforce lease terms
- Supervise cash management and bank reconciliations
- Enforce internal control procedures and policies

ROLE OF EXECUTIVE DIRECTOR – CONT'D

- Monitor operations for fraud and abuse
- Maintain overall compliance with federal, state and local laws, as well as PHA policy and procedures
- Keep the Board of Commissioners informed of any problems, such as audit concerns, major resident issues, financial status, and changes to laws
- Again, there is another session going into more detail on roles

HIRING

- Cannot Employ if Debarred/Suspended
- ACC Conflict of Interest Restrictions
 - Section 19 of ACC
 - 24 CFR Part 982.161
- Advertising – no HUD requirement but good practice (Personnel Policy)
 - Post job on THA website?

OIG INTEGRITY BULLETIN – HIRING

- ✘ 1. Establish a strong hiring policy
- ✘ 2. Require application forms
- ✘ 3. Conduct reference checks
- ✘ 4. Perform background checks

GOOD HIRING PRACTICES

- 1. Comprehensive job description that reflects your mission, values, and strategic direction**
- 2. Cast a wide net**
- 3. Conduct a rigorous selection process**
- 4. Define your needs**
- 5. Assess cultural fit.** Leadership style, communication skills, and ability to collaborate with diverse stakeholders & board members.
- 6. Check references and conduct background checks**
- 7. Provide onboarding and support**

DISCUSSION

- ✘ What qualifications should you look for in hiring an ED?

QUALIFICATIONS TO CONSIDER

- Leadership and Managerial Skill
- Property Management Experience
- Performance Management Experience
- Knowledge of PHA/HUD Programs
 - Administrative Burden – significant non-property management activity
- Entrepreneurial Spirit
 - Running Business – Small PHA Eds wear many hats

DISCUSSION

- ✘ What Salary and Benefits are Appropriate?

EMPLOYMENT CONTRACT?

- ✘ Not required or approved by HUD
- ✘ Ensure Legal Counsel Review
- ✘ Clear Performance Expectations
- ✘ Performance Evaluation

TRAINING FOR NEW EXEC DIR

- ✘ Lead the Way Online Training
- ✘ Limited Ability for HUD Staff to train one-on-one
 - + HUD staff have expertise on HUD regulatory req
 - + THA other training organizations
 - + Establish Network with Other Exec Dir
- ✘ New ED Onboarding Guide

OTHER OPTIONS TO TRADITIONAL EMPLOYMENT

- Contract with neighboring agency (interlocal cooperative agreement)
- Hire part time ED who also works at another PHA
 - Achieve economy of scale
 - Share cost of training, employing and retaining qualified staff person
- Program Transfer and/or Repositioning
 - Another session goes into more detail

GOOD PRACTICES

- ✘ Transition – overlap period before current ED leaves
- ✘ Cross training of staff members
- ✘ Standard Operating Procedures
- ✘ Well organized Records
- ✘ Small PHAs – plan for continuity of operations during absence of ED/staff

EMPLOYMENT DISPUTES?

- Employment Contract?
- Personnel Policy - Performance Evaluation
- Ending Employment - General board immunity from liability if operating within role
 - Insurance Coverage – Errors and Omissions
- HUD General Counsel must approve any litigation using HUD funds

QUESTIONS AND DISCUSSION

- ✘ Share your experiences – lessons learned

*Feedback /Discussion - How Can We
Better Assist Board in Providing
Effective Oversight of HUD Programs?*