



# PHILADELPHIA HOUSING AUTHORITY RESIDENT COUNCIL ELECTION RULES



## I. CAMPAIGNING

1. Campaigning Commencement: Once a candidate is informed of their eligibility, they are encouraged to begin campaigning.
2. Committees: Candidates may form committees to assist with campaigning. Candidates are responsible for the conduct of their supporters. Any damage to public or personal property is a lease violation and may result in candidate disqualification.
3. Respect: Candidates should be sensitive to the fact that people from a variety of racial, ethnic and religious backgrounds reside in public housing and that all residents have the opportunity to participate fully in the election process.
4. Prohibited Conduct: Certified candidates may be decertified by the ITPM at any time—*before or after the election*—for violating these rules, including but not limited to:
  - Submitting false statements during the application process;
  - Bribery;
  - Cheating;
  - Stuffing the ballot box;
  - Encouraging ineligible persons to vote;
  - Threatening or interfering with potential voters or candidates;
  - Defacing or destroying posters or campaign literature of other candidates;
  - Using resident council restricted funds for campaign purposes;
  - Impeding voters access to polling places; and/or
  - Failing to timely file the proper materials and reports.
5. “Electoral fraud” is an improper interference with the process of an election that intends to bring about an election result, whether by increasing the vote share of the favored candidate, depressing the vote share of the rival candidates or both. Any act of electoral fraud by a candidate or their agents may result in a candidate’s disqualification. Some examples of electoral fraud include voter intimidation, vote buying and intentionally misinforming voters by distributing false or misleading information. Even the perception of fraud can be damaging as it makes voters and candidates less inclined to accept election results. Any candidates found to have engaged in electoral fraud will be subject to disqualification at any time prior to or after the election.

6. “Campaign materials” are advertisements used by candidates to spread their message so voters know who they are and their positions on voters’ concerns. Campaign materials may include posters, flyers and social media posts. Candidates are not required to have the ITPM review their campaign materials, but candidates who are unsure about whether their campaign materials may violate the rules of the election can ask the ITPM to review their campaign materials before posting.
7. “Social media” is a type of campaign material that includes, but is not limited to, Facebook, Snapchat, X, Instagram, and TikTok. Social media can play an important role in a candidate’s campaign, but candidates should be thoughtful in their messaging.
  - . Resident Council social media accounts may be used to inform the residents about the upcoming election. However, candidates already on the Resident Council must only use their personal social media accounts to campaign and may not use Resident Council social media accounts to promote one candidate over another. A Resident Council is permitted to officially support a candidate if a majority of the Council votes to do so, and a Resident Council may use social media to support the candidates of its choice. However, a candidate may not send their own messages out through any of the Council’s social media accounts.
  - b. If a person submits a grievance about a candidate’s posts on social media, the ITPM may investigate a candidate or Resident Council’s posts relevant to the election. In order to properly investigate, the ITPM reserves the right to request information from candidates related to their social media posts. Failure to provide this information, upon request from the ITPM, may result in a candidate’s disqualification.
8. Candidate Withdrawal. If a candidate wishes to withdraw and be removed from the ballot, they must send the ITPM a Statement of Candidate Withdrawal (See *Section IX*). Once the ITPM receives this Statement, the candidate is no longer eligible to run in this year’s election. If ballots have not been printed, withdrawn candidates will not be included on the ballot. If ballots have already been printed, a notice will be posted at their polling site letting voters know the candidate has withdrawn and is no longer eligible.

## **II. CANDIDATES NIGHT**

1. Purpose. Candidates Night provides residents the opportunity to hear from the candidates. All resident voters are invited to see, hear, and question candidates. These events allow candidates to present campaign materials, share why they are running for office and talk about their qualifications.

2. Participation. Candidate participation is not required but is highly recommended.
3. Time Limits. The ITPM will be equipped with a stopwatch, flash cards and alarm for accurate timekeeping. Candidates must stick to their time limit. The ITPM will be readily visible to the candidates but not block the audience view or be unduly distracting. Candidates will be given a warning signal one minute before running out of time, so as to end on time. *Example*: green, yellow, and red cards used like traffic signals.
4. Staging. Chairs will be arranged so the candidates will sit at the head of the room behind a table, if possible. Each candidate will be identified by a large print place card that includes the office for which they are running.
5. Opening Statements. Candidates will be given 3 minutes to speak on why they should be elected. When the candidate has one minute remaining, the ITPM shall hold up a sign indicating that the candidate's time is almost up.
6. Voter Questions. Residents may ask the candidates questions by raising their hand and the ITPM will call on them one at a time. Candidates' answers will be no more than 3 minutes long to maximize the number of residents who get to ask questions. Candidates are advised to respond directly to questions that are asked and not speak off topic.
7. Professionalism. Candidates will conduct themselves and treat others in a professional and respectful manner. The ITPM will acknowledge candidates and residents to speak during the event so that voters and candidates will respect the floor when candidates are speaking and voters are asking questions. If more than one candidate is referenced in a question, each candidate may respond with equal time.
8. Closing Statements. Candidates will each be given one minute to make a closing statement.

### **III. CAMPAIGN FUNDING & ACCOUNTABILITY**

1. Restricted Funds: "*Restricted funds*" include, but are not limited to, already budgeted resident participation money awarded by PHA to a Resident Council. The use of restricted funds for campaign purposes is strictly prohibited. Resident Council funds may not be used to favor or disfavor any candidate.
2. Commingling: Money used for campaign purposes must be separately maintained from personal and from Resident Council funds. There can be no commingling of campaign funds or cash advance/reimbursements with or from non-campaign amounts.
3. Fundraising: Each candidate may raise and/or spend up to five hundred (\$500.00) to cover allowable campaign expenses (including but not limited to

posters, flyers, t-shirts, hats, beverages, nominal amounts (i.e. less than \$25 payment or item of value total per person) for "campaign staff") without filing a Report of Receipts and Expenditures (See *Section VIII*).

4. Financial Reports: All candidates for Resident Council who raise or spend more than five hundred (\$500.00) to cover proper campaign expenses must file a written Report of Receipts and Expenditures, found in *Section VIII*, with the ITPM. The Report must itemize the sources and amount(s) per source of the funds, each use and amount used of these funds, and the balance remaining of unspent campaign funds. The Report of Receipts and Expenditures is due within ten (10) days following the release of the Certified Resident Council Election Results.
5. Surplus Funds: If a candidate has not used all the contributions donated to their campaign, the unspent money must be returned to the donors, donated to the Resident Council, or given to a charitable organization. Surplus funds may not be used by the candidate for personal purposes.
6. Waiver. If a candidate spends less than \$500 on their campaign, they are not required to complete the entire Report of Receipts and Expenditures, but must initial the Waiver section of the Report and send it to the ITPM within ten days following the release of the Certified Resident Council Election Results.

#### IV. SPECIAL ACCOMMODATIONS

Any resident who is eligible to vote but needs translation, ASL assistance, or is unable to get to the polling site on their Election Day due to any documented health/disability reason will be given a special accommodation upon advance request to the ITPM. Notice may be given to the ITPM by email, voicemail, fax, or ground mail identifying the resident's name, accommodation needed, and unit number.

Notice of a resident's need for special accommodations must be RECEIVED by the ITPM no later than *three (3) business days before Election Day* so RPS staff and/or translators may schedule this special procedure on Election Day. Residents needing a special accommodation must provide their name, property address, unit, and accommodation needed. This may be submitted to the ITPM by:

- Email: Scott@ResidentParticipation.com;
- Fax: 301-637-3635;
- Mail to: Resident Participation Services, 313 S Park Way, Unit C210, Broomall, PA 19008. If you are mailing your request, it must **ARRIVE** at the ITPM office by the deadline; or

- Call: Residents seeking special accommodations may also call and leave a voicemail of their name, property address, unit, and accommodation needed at (202) 596-2675.

## **V. SUMMARY OF POLLING SITE RULES**

1. Eligible Voters. To be eligible to vote, a resident must:
  - a. Be named on the property's lease;
  - b. Be eighteen (18) years of age or older; and
  - c. Present some valid form of identification. (Picture ID not required.)
2. Polling Site. Eligible voters must vote at their designated polling site, unless a special accommodation request has been received at least three (3) days prior to the election. Polls will be open for eight (8) consecutive hours; exact hours will be posted.
3. Provisional Ballots. PHA will provide an updated list of all residents who are eligible to vote at each polling site, which will be used as the Eligible Voter Roster. If someone comes to the polling site to vote, but they are not listed on the Eligible Voter Roster, they are **STILL ALLOWED TO CAST A BALLOT**. If this happens, the person must sign and print their name and address on the Provisional Ballot Signature Form. That individual is then given a ballot and allowed to cast their vote. After their ballot has been completed, they are instructed to print their name on the back of the ballot, **PLACE IT IN AN ENVELOPE** that is labeled "Provisional Ballot" and place it in the ballot box. The ITPM will then contact property managers to determine whether the individual is an eligible voter. If they are eligible to vote, their ballot will be included in the Final Election Results. This is done to make sure no resident votes more than once and to make sure every eligible voter has the opportunity to vote.
4. Special Accommodations. Residents who are disabled or need translation assistance will receive special accommodations upon advance request, and that request must be received by the ITPM at least three (3) days prior to the election.
5. Absentee Ballots. Absentee ballots will not be permitted. Homebound voters may request a special accommodation as described above.
6. Validity of Votes:
  - a. *Write-In Votes*: Write-in votes are not allowed. A write-in vote occurs when a voter handwrites the name of a candidate whose name does not appear on the official printed ballot. These will not be counted. Voters may only vote for candidates whose names appear on the official printed ballot.

- b. *Overvote*: An overvote occurs when a voter marks more than one candidate for a single office. Overvotes will not be counted.
  - c. *Undervote*: An undervote occurs when a voter selects at least one candidate on the ballot but does not vote for all open offices on the ballot. If an undervote occurs, the selections made by the voter will be counted. Ballots with no votes marked will not be counted.
7. No Campaigning at the Polling Site. Candidates and their staff/volunteers MUST NOT engage in any campaign related activities in or WITHIN 20 FEET OF THE ENTRANCE OF THE POLLING SITE. Candidates and their supporters must not harass, threaten, coerce, prevent or otherwise interfere with the voter's right to vote for the candidate of their choice.
  8. Winner. The slate receiving the highest number of votes shall be declared the winner and shall be elected to serve as the Resident Council.
  9. Recount. If the margin of victory for a winning slate is less than 1% of the total ballots cast in that race, or for good cause shown, any candidate whose name appeared on the ballot may request a recount of those ballots no later than three business days following the election. The request shall be in writing and state the reason for the recount.
    - a. *One Percent*: A request for a recount based on a margin of victory of 1% or less shall be granted and the recount shall be completed within two business days from the date of request.
    - b. *Good Cause*: If there is a request for a recount based on good cause, when the margin of victory is greater than 1%, the ITPM has the sole discretion to determine whether good cause exists and shall render a decision on whether to conduct a recount within one business day. A recount that is based upon good cause shall be completed within one business day from the date of the decision by the ITPM.
  10. Tie/Run-Off. If there is a tie between two or more slates, a run-off election will be scheduled.

## **VI. PUBLICIZING THE OUTCOME OF THE ELECTION**

1. Preliminary Ballot Count. Immediately after the polls close, residents are invited to witness a preliminary ballot count on-site by the ITPM. These results will not include any provisional ballots.
2. Transportation of Ballots. After the preliminary ballot count, the ballot box and forms will be sealed and transferred to the ITPM office for quality assurance and certification off-site.
3. Posting Preliminary Results. Notices of the preliminary results will be posted at each property at the end of Election Day and, if the property has a contested

election, final results will be posted after the grievance period has passed. If the outcome of the election does not change, then the preliminary results will also serve as the final results.

4. Mandatory Training. All newly elected Resident Council officers must attend an orientation and training session within thirty (30) days after Election Day.
5. Swearing-In. The newly-elected slate will be contacted by PHA to schedule a swearing-in ceremony. The ITPM does not have a role in this ceremony.

## **VII. PROCEDURES FOR GRIEVANCES**

1. Grievance Deadline: Voters and candidates may file a complaint at any time during the election process. If a voter or candidate believes a violation of the election process has occurred they must fax, mail, or email a written complaint letter to be RECEIVED by the ITPM no later than 3 business days after the Election Day.
2. Content: In order to be actionable, the letter must be based on a violation of election rules established by the ITPM for this election. A grievance must contain evidence that the outcome of the election was affected by the rule violation. An exchange of words or a heated debate about the election is not grounds for a grievance unless a violation of election rules also occurred.
3. ITPM Deadline: The ITPM will issue a written response to a grievant within three (3) business days of receiving the grievance.
4. Requesting Reconsideration. If the grievant is dissatisfied with the ITPM's response and has additional evidence to support their grievance, the grievant may request the ITPM to reconsider its decision. The request must be received by the ITPM within three (3) business days of the date of the ITPM's response to the original grievance.
5. Final Decision. The ITPM will review the original grievance, its response and the request for reconsideration to make a final decision within three (3) business days of receiving an appeal. The ITPM's decision on an appeal is final.
6. Nullified Election. If an election is nullified by the ITPM, the ITPM will coordinate with PHA to establish how to proceed.

## VIII. REPORT OF CONTRIBUTIONS

CANDIDATE NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

1. WAIVER FOR LESS THAN \$500: If you received less than \$500 in contributions, initial here: \_\_\_\_\_

2. IF YOU RECEIVED \$500 OR MORE IN CONTRIBUTIONS, LIST EACH CONTRIBUTION BELOW:

Name and address of contributor	Date rec'd	Contribution type (money, materials, labor, etc.)	Value
TOTAL VALUE OF CONTRIBUTIONS LISTED ABOVE			

\* Continue the list on another sheet if necessary to list every contribution separately

Are there surplus funds? \_\_\_\_\_ If yes, how will they be used? \_\_\_\_\_

\_\_\_\_\_

The candidate named above certifies that all information provided is true and correct.

CANDIDATE SIGNATURE: \_\_\_\_\_

### Instructions for Report of Contributions:

- Column 1: List the full name and complete mailing address of each individual or organization that paid for a campaign contribution.
- Column 2: List the date you received the contribution or the date the expenditure was made on your behalf.
- Column 3: Describe the type of contribution: money, materials, labor.
- Column 4: List the exact value of each contribution or expenditure.



- Add up all the contributions and list the total value of all contributions.

### **Other Reminders About Contributions and Expenditures**

- Each contribution must be listed separately even if the same person or entity has contributed previously.
- If the number of contributions exceeds the amount of space provided, submit multiple forms disclosing ALL contributions by ALL persons or entities.

### **NOTE ABOUT IN-KIND CONTRIBUTIONS AND EXPENDITURES**

An in-kind contribution is the donation of goods, services, property or anything else of value that is offered for free or less than the usual and normal charge; or payments by a third party for goods and services rather than money. For example, if a campaign worker purchases stamps that are used for a mailing and is not reimbursed for the cost of the stamps, the value of the stamps is an in-kind contribution to the campaign committee from that campaign worker. When an individual is paid to work on behalf of a candidate by a political committee or some other individual, the payment for those services is an in-kind contribution to the campaign committee. If a political committee or individual offers to provide food and beverages for a fundraiser at less than the ordinary market price, the difference between the ordinary market price and the cost to the campaign is an in-kind contribution from the political committee or individual. The candidate must agree to accept an in-kind contribution before it is given.

The basis for arriving at the dollar value of an in-kind gift is: new items are valued at retail value; used items are valued at fair market value and services rendered are valued at the actual cost of service per hour. If the contributor does not know the actual value of the contribution, a good faith and reasonable estimate of the fair market value should be provided. When the actual value of the estimated in-kind contribution is known, the actual amount is reported as a contribution and an expenditure on the campaign finance report. If the value is estimated, a note must be made next to such contribution.

In-kind contributions often require more financial management than cash contributions or candidate financed campaigns. The date of receipt must be properly reported. When an in-kind contribution is made, it is often at an event, managed by friends, who themselves may not be aware of any/all in-kinds that are being made such as food donations, napkins, etc. Fundraising events are a very common source of in-kind receipt issues. For an event, the day of the event should be the date of receipt for the in-kind services that occur on that day. This is because the services (contribution) are being rendered that very day.

**Candidates may not use Resident Council or community rooms to host fundraisers.**

## **IX. STATEMENT OF CANDIDATE WITHDRAWAL**

I, \_\_\_\_\_, *[NAME OF CANDIDATE]*, state that after careful consideration, I have decided to withdraw as a candidate for Resident Council at my property.-

I understand that by submitting this Statement to the ITPM, I will no longer be an eligible candidate in this election.

SIGNATURE OF CANDIDATE: \_\_\_\_\_

DATE: \_\_\_\_\_