

How To Organize a Tenants' Association

Before You Begin

Once again:

- * you have no heat and hot water.
- * the building's front door lock is broken, and a neighbor was mugged in the lobby.
- * you asked the owner to repair the leak in your kitchen, but no one was sent.

If you've been faced with any of these situations or ones similar to them on an ongoing basis, has your first impulse been "I have to move"? But then, you look through the real estate section of the newspaper and realize that there is little else that you can afford. What are your alternatives at this point? Either live with no hot water (or muggings, or a leak in the kitchen) OR consider organizing a tenants' association.

Before putting your thoughts into action, ask yourself if you are willing to invest some time and energy to improve your living conditions. Also, ask yourself if you are willing to abide by the decisions of the group (majority of the members of the tenants' association) in the actions and strategies that could be implemented. If your answers are, "Yes," read on.

Talk to Your Neighbors

Talk to the people who live in your building - as you see them by the mailboxes, in the hallway, or by knocking on doors. Ask them if they have had similar problems as you have experienced and if they, also, have been unsuccessful in getting a positive response from the owner. Ask your neighbors if they believe the conditions in the building need to be improved and find out if they are interested in meeting with the other tenants of the building to discuss what can be done.

Let people know that the common problems of the building do not have to continue and that if the tenants are willing to work together as a group they can be successful in getting the building owner to improve services. Ask them when is the best time for them to attend such a tenants' meeting.

These preliminary discussions with your neighbors will help you determine whether or not the tenants feel strongly enough about the problems to want to mobilize, or whether they just want to 'complain' (and only to each other). Your conversations should also help you get a sense as to whether people are "afraid" to get involved. If this seems to be the case, you can quote them the section of the Real Property Law that guarantees tenants the right to organize (see Introduction). If a group of tenants agree to participate, then....

Plan a Meeting:

Who?

If a few tenants in the building were involved in the initial thoughts and discussions of

organizing, or, if during your preliminary "fact finding mission" with your neighbors a few indicated leadership or active interest, decide among this beginning group who will chair the first meeting. Whoever leads this meeting does not necessarily, or automatically, become the head of the association. Also, some of the tasks outlined in this section can be delegated to others in this group.

When?

Depending on the severity of the issue, try to hold the meeting as quickly as possible. If most of the people in your building work during the day, plan on having the meeting in the evening, after dinner. Sunday afternoons may also be a convenient time for the tenants.

Where?

The meeting can be held in someone's apartment, or in any public area of the building (see "Right to Organize" in Introduction). If you cannot or choose not to meet in the building itself, see if a nearby church, synagogue or school will allow your group to meet there. (You may have to give a donation)

How?

Make up a FLIER (handwritten notice is fine) to let all tenants in the building know about the meeting. Include on the flier the PURPOSE of the meeting (i.e. to do something about the i.e. lack of heat/hot water), the DATE, the TIME and the LOCATION. If the meeting will be in the lobby, you can include that people can bring their own chairs.

POST the flier in key places around the building - in the vestibule, elevator, laundry room, by the mailboxes, etc. Don't be surprised if the fliers 'mysteriously' disappear shortly after you have posted them, so to safeguard against this, and if you can afford to duplicate enough meeting notices, you should also leaflet under doors throughout the building, in addition, immediately prior to the meeting it may be helpful if some tenants knock on doors to remind people to attend the meeting.

Materials

Prepare a SIGN-IN sheet for the first meeting, including on it the date of the meeting, and columns for tenants to include their name, apartment, day and evening telephone numbers. On the top of this sheet, ask people to print this information.

Bring paper and pens to the meeting. If someone from the beginning group is willing to take minutes of the meeting, make such arrangements in advance. If not, be prepared to ask for a volunteer from those who attend the meeting to take minutes.

At the First Meeting:

Have the sign-in sheet at the door.

Introductions

Whoever is selected or volunteers to chair the first meeting should give his/her name and apartment number. Explain how and why the meeting was called, and who the preliminary group included.

Explain the importance of record keeping.

It is important, also, that everyone understands that minutes of all meetings need to be taken, both to keep accurate records for the association as well as to be distributed to all tenants whether or not they are able to attend all the meetings.

Take minutes of the meeting

If no arrangements were made in advance for someone to take minutes of this meeting, the chair should ask for a volunteer. If there is some hesitation, let people know that whoever volunteers will not be asked to take minutes at every meeting and that this task can be rotated.

General Introductions

Depending on the size of the group, ask everyone at the meeting to introduce him/herself. If you live in a large building and most tenants have come to this meeting, ask, by a show of hands, how many representatives there are from each floor.

Get a consensus from the tenants of the BUILDING-WIDE problems

Ask the tenants what they see as problems in the building. If the group has come together because of a crisis, i.e. no heat/hot water for "x" amount of time, clearly that is your starting off point; however, this does not mean that it is the only issue that the group could seek to resolve. Your group can develop short-term and long-term goals.

If no one offers other building-wide issues, ask questions to elicit responses. Other building-wide issues that the group may consider addressing are:

* General Maintenance and Repairs

What experiences have tenants had when they have needed repairs in their apartments? Does the owner, on a general basis, refuse (or take an inordinate amount of time) to send a repair person?

* Garbage collection

Does the building have sufficient garbage cans given the number of apartments in the building?

* General cleanliness of the building

Does the building have a superintendent? Is he/she accessible?

Does the superintendent clean the building on a regular basis?

* Extermination

Is there a problem with roaches and/or rodents? Does the building have regular extermination services? Is it at a time that is convenient for the tenants?

* Security

Is the building's front door adequately and securely locked? Is there proper lighting outside the building, in the vestibule, In the hallways, in the basement, in the back alley, in the stairwells, etc.? Is the roof door secured? If there is an elevator, does it have a mirror giving tenants visual access to its blind corner before people enter?

Keep the focus on building-wide problems

Try not to get caught up in a discussion of one tenant's problem(s). If someone monopolizes the discussion about the leak in their ceiling that they have had for two years, ask if other people have similar problems. If they do, focus the discussion on the GENERAL LACK OF REPAIRS. If other tenants don't have similar problems, tell the tenant you will discuss their specific problem after the meeting. (Ask tenants with individual problems to go to CES' Tenants' Rights Clinic).

Prioritize the building-wide problems

Which problems are most important and therefore should be dealt with first? Again, if the group has come together because of a crisis, that is your main priority, however, the other building-wide problems should be listed in order of their importance to the majority of the tenants present at the meeting

Discuss how tenants have dealt with complaints in the past. Who do tenants notify when they have a complaint? Do the tenants know who owns the building? Have the tenants dealt primarily with the superintendent? with a managing agent? with whom?

Ask tenants what their experiences have been in the past in dealing with the building owner (or their regular contact person)? Have such contacts been by telephone, or do tenants write? Is there a difference in the response depending on whether it is in writing or verbally? If tenants have written, do they copies of these letters?

Decide whether or not to work together

Before you discuss possible strategies, and before you decide which best suits your building's needs, you will need to decide how your building will implement the strategies. Is it the general consensus of the tenants that working together as a group will be more effective than working individually?

Take a VOTE on whether to form a tenants' association. If the group votes in favor of having a tenants' association, you are ready to begin working together as a group.

Structuring Your Tenants' Association

There is no "perfect" or "best" way to structure a tenants' association. Basically, it should be structured in a way that will best enable the group to set policies and make decisions, and that will involve as many of the tenants as possible in implementing the strategies the group decides to undertake. As importantly, the structure should enhance the group's ability to carry out the day-to-day tasks needed to improve the building's conditions

On-Going Tasks:

No matter what the issue, and no matter what strategies your association decides to implement, certain tasks will need to be carried out to keep the association functioning smoothly and effectively. Please note that it is not necessary to have a separate individual or a separate committee for each of the tasks outlined below. The way your association addresses these tasks depends on the group's resources. Just keep in mind that people have different amounts of time, so consider setting up systems whereby the following tasks can be shared and/or rotated among several tenants.

Research

Information will need to be gathered on the housing laws, regulations, tenants' rights and responsibilities specifically related to your building's problems. Also, many associations find it helpful to find out what other groups with similar problems have done to resolve them.

Regular Communication among tenants

Sometimes, tenants don't become involved (or stop their involvement) with the association because they may not fully understand (or trust) the purpose or the strategy of the group. If the association keeps everyone informed, through every step, it is likely that the tenants will increase their participation. Develop a system that will let all tenants know what is happening and why. In small buildings, word of mouth may be enough. In larger buildings, communication may be in writing, i.e. copies of minutes to all tenants, a short summary of developments, a one-page newsletter. The method you choose will depend on the size of the building and resources on

hand.

Tenants will also need to know who to contact within the association about specific things that have happened to them, i.e. receipt of a dispossess notice, return of a rent check, etc.

Representing each floor

One (or more) person from each floor can be designated "floor captain" to be responsible for distributing all association information to each apartment on his/her floor, collecting needed data from each tenant and, in general, being the first "contact" for any questions tenants on their floor may have.

Scheduling Meetings

The association will need to schedule regular meetings to discuss developments and strategies and to decide on what actions to take

Meeting Notices

For each meeting held, notices will need to be distributed to all tenants and posted throughout the building. Find out who can take on this responsibility. All that is needed is someone who can either print clearly, or who has access to a typewriter [or computer].

Find out if someone (or several people) in the association can duplicate the fliers at work. If not, you will need to pay for duplication at a local stationery store which also means that you will need, at some point, to collect dues or contributions from the tenants.

Correspondence

The association will need to write to the building owner, to appropriate government agencies, to elected officials, to local community organizations, etc.

Record keeping

The association will need to keep accurate and complete files of all activities initiated by the group, including minutes of meetings, copies of newsletters, copies of all correspondence, records of dates and times (i.e. with no heat/hot water), copies of complaint forms that are filed by the tenants as a group or individually, etc.

Managing Finances

The association may incur group expenses such as postage, duplicating etc., in the course of their efforts. Depending on the problems and the owner's response to the tenants' demands, the association may have to go to court which can entail legal fees. The association will have to decide how to pay for such expenses, either by dues, contributions, fund-raisers, etc.

If the association decides to collect dues, keep in mind that not all tenants have the same financial capabilities. Therefore, the amount of dues should be based on a real assessment of the association's expenses. You do not have to decide on dues at your first meeting and, in fact, many associations simply ask for contributions as expenses come up.

NEVER collect money from tenants unless the tenants understand and agree to its use. Give expense reports at meetings, and keep records and receipts.

Should your association find that it needs to open a bank account to handle the group's finances, it may be opened in the name of the tenants' association, i.e. 331 East 70 Street Tenants' Association. To open the account, a bank will require the social security number of someone from the association. If the account is non-interest bearing, i.e. a regular checking account, the person whose number is used will not be required to pay income tax on it. It is recommended that the signatures of at least two people be required to make withdrawals and sign checks.

Forming a Steering Committee

Frequently, newly organized groups are made up of people who do not know each other well enough to immediately select (or elect) leaders. Some organizations begin by forming a steering committee made up of a small group of active people. Those serving on a steering committee have "equal powers" and act as the collective leadership of the group. They should fully understand that they represent and are accountable to the full membership.

Purpose of the Steering Committee

As the collective leader, the steering committee helps to guide the association in setting policies, defining goals and in making decisions. On a regular basis, the steering committee members should examine whether or not they are adequately representing the group by asking themselves the following questions: Are the association members involved in the decision making of the group? Do the association members understand and agree with the goals of the group? Do they understand the strategies being discussed? Are these strategies realistic given the needs and resources of the group? Are the strategies over-ambitious, i.e. they need 100 people to carry them out, but there are only 17 members?

As importantly, the steering committee coordinates and delegates the day-to-day tasks needed to run the association, such as scheduling, setting agendas for and chairing meetings, maintaining records, drafting letters, etc.

Who serves on the Steering Committee?

The steering committee should comprise those tenants who are most able to carry out the day-to-day tasks of running the tenants' association. The size of the steering committee will depend on the size of the building and the goals that the association wants to accomplish. In large buildings, the steering committee generally includes representatives from each floor. If the association establishes committees to carry out specific tasks, the chair or representatives of each committee

can serve on the steering committee as well.

Chairing Meetings

Many new groups rotate the responsibility of chairing steering committee meetings and general association meetings. After tenants get to know one another, they may want to select one or two people to take on this responsibility on a more regular basis.

Delegating responsibilities

When delegating responsibilities, take into account that different people have different skills and varying amounts of time available. Consider setting up a structure whereby tasks can be rotated among several people so as not to overburden any one person. As each task is decided upon, ask for a volunteer to carry it out. A simple question such as, "Who can do?" usually is enough to elicit volunteers. Depending on the complexity of the task and/or the amount of time it may take, it may be helpful if two people are assigned to work together. Just remember that your organization literally will be doomed for failure if everyone leaves each meeting thinking that someone else is going to do the work.

Note To Members of the Association

A member has the right and the responsibility to question and, if necessary, challenge what the leadership is saying and doing, especially if it is contrary to the strategies or goals decided upon by the group, or if the members are not a part of deciding what the group will do.

Formalizing the Structure:

Many tenants' associations function very well with a steering committee and never adopt a more formal structure. Depending on the size of your group, the complexity of the building problems, and the length of time it may take to resolve them, your group may decide to formalize the association's structure by electing officers and writing by-laws.

Election of officers

Elected officers are given the sanction and authority of the general membership to lead the group. Although the person(s) who first led the group may have volunteered, neither they nor the general membership should assume that these are life-time appointments. At the same time, if these people are doing well and want to continue as leaders, holding elections will legitimize their positions.

How your association elects officers will depend on the needs and resources of your group. Nominations may be taken from the "floor" at one meeting, with elections at the next scheduled meeting, or a nominating committee which selects a "slate" of officers can be created. Membership criteria stating who can vote in the elections should be decided upon by the group.

By-Laws

Written by-laws outline the policies by which the association can make decisions. Generally, they include the name, address and purpose of the group; membership qualifications; a list of officers of the association, their powers, responsibilities and length of time to be in office; a list of the standing (regular) committees; how committee chairs will be elected; the criteria for establishing ad hoc committees; whether or not committee chairs as well as association officers will serve on an "executive committee," whether or not meeting will be conducted by parliamentary procedure; how

frequently membership meetings will be held; who can call meetings; how and when notification of meetings to the general membership will take place; definition of a quorum; how voting will take place, and how the by-laws can be amended.