



Questions to Answer before Instituting By-Laws

Organizational Mission

What is your organization's mission? What purpose will your organization serve?

General Membership

Who is a member? (Some options are one adult member per household, everyone in the household, and dues payers of the tenant association.)

Conflict of Interest

Are management employees prohibited from membership?

If management employees may be members, are there any provisions re: prohibiting management employees from serving on tenant association leadership? If so, how long after employment?

Tenant Association Leadership

What are the offices of the tenant association leadership? (Some options are Chair, Vice Chair, Co-Chairs, Treasurer, Assistant Treasurer, Secretary, Floor Captains.)

How do members select the tenant association leadership? When are elections? Does the membership elect officers or should the board select its own officers? Which positions are elected and which are appointed?

How long are the terms?

Under what circumstances would an officer be removed from his or her office? What would be the process for that removal?

How should the structure and the diversity of the building(s) be represented?

Finances:

Should contract and check signing be restricted to certain officers? If so, who?

Are there tenant association dues? If so, how much? What is the process for using dues to pay for tenant association projects?

What is the process for approving the budget/managing the organization's finances, approving certain unanticipated expenses, etc.

Types of Decisions (Powers) for the tenant association leadership and general membership

What types of decisions should the tenant association leadership be able to make? What, if any, decisions should be reserved for the general membership? (examples might be changes in by-laws, election of officers, approval of contracts, major decisions, etc.)

By-Law Modification: How can by-laws be changed? What is the procedure for by-law modification?

Meetings

Frequency: How often should the tenant association leadership should meet? How often should the membership meeting? What is the procedure for calling a meeting of the leadership? Of the membership?

Quorum: What number or percent of tenant association leadership members must be present to conduct business? What number or percent of members of the tenant association must be present to conduct business? Is participating by phone permitted? Is proxy voting permitted?

Agenda: Should the membership be able to add items to the agenda? Should the membership receive copies of the agenda before the meeting or at the meeting? If so, how far in advance of the meeting? What is the process for approving the meeting agenda?

Minutes: Who keeps the minutes of the meetings? To whom are they distributed and when? What is the process for approving the minutes? Who has access to the meeting minutes?
Management: What are situations in which management will be contacted to participate in the meeting? What are the procedures that should be gone through for management participation?

Written Communications (I'd put all this stuff under meetings- see above)

Flyers: How much written notice or verbal notice should be given before a meeting is properly called? Examples could include 3 days, 5 days, and answers for different types of meetings. (How must this notice be given? Posted . . . where? Under every door? In the common areas?
Notes: How should notes of the meetings be disseminated amongst the members?

Vacancies and Removal of Board Officers

How should vacancies be filled? Should existing tenant association leadership members be able to fill vacancies without consensus from the general membership?
How should tenant association leadership members be removed, with or without cause? Should they be removed by majority or 2/3? What are the procedures for removal? An example could be removal for failing to attend 3 consecutive meetings without good cause. (I put this above- your call about where to keep it).

Final Points

By-laws need not be very complicated; but they are extremely important to determine the governing rules and decision making structure of your tenant association. See the sample by-laws for assistance.

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