

WASHOE HOUSING AUTHORITY

- LOCATION -
Dresslerville Colony
775-265-2410

- Mailing -
1588 Watasheamu Drive
Gardnerville, NV 89460

WASHOE HOUSING AUTHORITY Code of Conduct/Conflict of Interest Policy

This Policy was adopted by the Board of Commissioners by
Resolution No 11-WHA-20 on August 25, 2011
Revised by Resolution No 22-WHA-02 on February 28, 2022

Policy Statement

The Washoe Housing Authority (WHA) Board of Commissioners (Board) recognizes the need to adopt a Code of Conduct that provides a powerful framework for ensuring that the Board and WHA employees act and perform their duties with integrity and honesty. Board members must be in good standing with WHA, they must not have any bad debts with WHA. Within the past eight years, they must not have any current or previous litigations against WHA, must not have been removed from the Board via community or tribal council and must not have been terminated for cause as an employee of WHA.

The WHA Board also wishes to prohibit any conflict of interest in the procurement of supplies, equipment, other property, construction and related services and the provision of housing services to families served by the Washoe Housing Authority (WHA).

1) Board Members' Code of Conduct

- a) Duty of Diligence. The responsibility of the Board is to govern the WHA. The Board commits itself and its members to ethical, businesslike, and lawful conduct. This includes proper use of authority and appropriate decorum when acting as Board Members. The Board must act with care and perform their duties in good faith and in a manner they believe to be in the best interest of the WHA. In order to be diligent and act with care, the Board must be well informed on the issues that they have control over. The Board cannot guarantee the honesty or integrity of the WHA employees, but must adopt reasonable policies and procedures to encourage honesty in the WHA organization.
- b) Duty of Loyalty. Board members must represent loyalty to the interests of the WHA and its program participants. This accountability supersedes any conflicting loyalty such as personal advocacy of any Board member or Board

- member's family acting as a participant in WHA's programs. Board members must not do anything that would cause damage to the WHA. They must not make profits or unfair gains from information they are privy to as a Board member through personal transactions while acting as a Board member.
- c) Duty of Obedience. The Board will act within the laws and regulations which the WHA is required to follow. Board members may be held personally liable if they overstep their legal boundaries or cause damage to the WHA.
 - d) A member will not use his/her position on the Board to obtain employment with the WHA for himself/herself, family members, or close associates.
 - e) A member will not use his/her position on the Board to obtain preferential treatment for himself/herself, immediate family members, or close associates that would violate WHA policies as set by the Board.
 - f) A member will disclose his/her involvement with other organizations, vendors and/or any other associations that might produce a conflict.
 - g) A Board member shall not attempt to exercise individual authority over the WHA except as explicitly set forth in Board policies. The strength and effectiveness of the Board is as a unit, not as a group of individuals, and decisions of the Board shall be binding on all.
 - h) Members' interaction with the Executive Director or with staff must recognize and identify the lack of authority vested in individuals except when explicitly Board-authorized.
 - i) Members' interaction with public, media or other entities must recognize the same limitation and the inability of any Board member to speak for the Board, except as stated in Board policy.
 - j) Members must respect the confidentiality appropriate to issues of a sensitive nature and act honestly and openly at all times and keep confidential all privileged and closed session information.
 - k) Members shall encourage and safeguard open access to the Board while maintaining appropriate and well-defined WHA communication and decision-making channels.
 - l) Members shall work respectfully with other Board members in a spirit of harmony and cooperation giving members courteous consideration of their opinions.
 - m) Members shall devote time to activities that will enhance their ability to function effectively as governing Board members.

2) Gratuities Gifts

- a) WHA Board members, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary value (more than \$50.00) from

contractors, potential contractors, or parties to sub-agreements or subcontracts.

3) Conflicts Prohibited

- a) No member of the Board or the WHA staff who participates in the decision making process or who gains inside information with regard to WHA assisted activities with any form of funding including all federal funds, may obtain a personal or financial interest or benefit from such activities except for the use of funds that are paid in accordance with WHA policies to eligible participants.
- b) No member of the Board may inquire or openly discuss WHA tenants' or program participants' privileged or personal information, including at board meetings, except when such information is discussed as a portion of the agenda. However, any such information discussed during closed sessions of the board is not allowed to be disclosed outside closed sessions. No member of the Board will have open discussions of personal situations pertaining to them, their family, or close associates unless such items are a scheduled agenda item. In such instances, the board member is automatically recused as a board member and shall have the same status as any other member of the public with an agenda item.
- c) No member of the Board or the WHA staff shall participate directly or indirectly in the selection or in the award, administration or payment process of any contract if a conflict, real or apparent, would be involved. Such conflict would arise when a financial or other interest in a firm selected for award is held by:
 - i) A Board member or WHA employee or agent involved in making the award;
 - ii) His/her relative (including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, and half-sister);
 - iii) His/her partner; or,
 - iv) An organization which employees, is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

4) Instances Where Provisions Do Not APPLY

- a) The conflict of interest provisions do not apply in instances where a member of the Board or WHA staff who might otherwise be included under the conflict of interest provisions is low income and is selected for assistance in

accordance with the WHA's adopted Eligibility, Admission and Occupancy policies.

- b) If a member of the Board or WHA staff is selected for assistance, the WHA must make a public disclosure of the nature of assistance to be provided and the specific basis for the selection of the person. The WHA shall provide HUD's Southwest Office of Native American Programs with a copy of the disclosure before the assistance is provided to the person.

5) Violations of Code of Conduct/Conflict of Interest

- a) To the extent permitted by Tribal Laws or regulations, such standards or conducts will provide for penalties, sanctions, or other disciplinary actions for violations of such standards by WHA Board, employees, or agents, or by contractors or their agents.
- b) Violations shall be documented in writing and submitted to the Board Chairperson and shall be addressed in executive session at the next regular Board meeting. If the Board member is determined to be in violation of this Code of Conduct/Conflict of Interest by the Board, the Board member shall be reported to the Tribal Chairperson for possible administrative or disciplinary action, which may include removal from the Board. Violations shall be submitted in writing by the Board Chairperson to the Tribal Chairperson. Violations by the Board Chairperson shall be submitted in writing to the Tribal Chairperson by the Board Vice- Chairperson.
- c) WHA employees who are determined to be in violation of the Code of Conduct/Conflict of Interest shall be disciplined in accordance with the WHA Personnel Policy.

6) Notification

- a) This Code of Conduct/Conflict of Interest Policy shall be printed on WHA letterhead, signed by the Board Chairperson, and distributed to all WHA Board members, employees, and agents.
- b) Each Board member shall sign a statement that they have read and understand the policy and agree to comply with the provisions of the adopted Code of Conduct/Conflict of Interest.
- c) If a Board member refuses to sign, it constitutes a violation of conduct. He or she will be reported to his or her respective Community Council and Tribal Council for further action. Such a Board member will not be recognized as an officiated member of the Board. Unrecognized Board members will not have voting rights or be afforded compensation or privileges.