



Notice of Regular Board Meeting  
Bellingham Housing Authority Board of Commissioners  
September 16, 2025

Location: 321 N. Samish Way, by phone, or by zoom

Time: 1:05pm

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AGENDA

A. ROLL CALL/QUORUM

B. PUBLIC COMMENT AND RESIDENT INPUT

*Public comments are only accepted in writing and must be submitted no later than 5pm on the day prior to the meeting.*

C. REPORTS

1. Executive Director Report (Andrew Calkins, 10 minutes)
2. BHA Quarterly Financial Report (Jana Robbins, 10 minutes)
3. Quarterly Development Report (Tony Casale, 10 minutes)

**RECESS THE PUBLIC MEETING AND OPEN A PUBLIC HEARING OF INTENT TO APPROVE RESOLUTION 2822, FY 2026 BHA PHA PLAN**

**CLOSE THE PUBLIC HEARING ON INTENT TO APPROVE RESOLUTION 2822, FY 2026 BHA PHA PLAN**

D. DISCUSSION / ACTION ITEMS

1. Approve FY 2026 BHA PHA Plan ([Link to doc](#))  
Approve Resolution 2822 (Kate Donnelly, 10 minutes)
2. Approve BHA Public Housing 2025-2029 Capital Fund 5-Year Action Plan  
Approve Resolution 2823 (Tony Casale, 5 minutes)
3. Approve FY 2026 BHA Public Housing Utility Allowance and Flat Rent Schedule  
Approve Resolution 2824 (Kate Donnelly, 5 minutes)
4. Approve FY 2026 BHA Housing Choice Voucher Utility Allowance Schedule  
Approve Resolution 2825 (Steve Grichel, 5 minutes)
5. Approve FY 2026 BHA Housing Choice Voucher Payment Standards  
Approve Resolution 2826 (Steve Grichel, 10 minutes)
6. Approve Revisions to Personnel Manual  
Approve Resolution 2827 (Lindsay Burmeister, 10 minutes)
7. Approve a New Executive Classification Level  
Approve Resolution 2828 (Lindsay Burmeister, 10 minutes)
8. Authorize an Additional Loan, or an Increase in the Amount of Existing Loans, from BHA to Meadow Wood II Associates LLC  
Approve Resolution 2829 (Tony Casale, 10 minutes)
9. Nomination for Chair and Vice Chair (November 2025 - October 2026) (Andrew Calkins, 5 minutes)

E. CONSENT ITEMS

1. Motion: Approve Cash Disbursements/Vouchers for the month of August 2025
2. Motion: Approve Minutes for the month of August 2025 Regular Board meeting

3. Motion: Approve BOC Meetings Calendar (January 2026 – December 2026)

F. NEW BUSINESS – COMMISSIONER REPORTS

EXECUTIVE SESSION

**RECESS TO EXECUTIVE SESSION**

1. Pursuant to RCW 42.30.110(1)(g) – To evaluate the qualifications and performance of a public employee.

**CLOSE THE EXECUTIVE SESSION, RECONVENE PUBLIC MEETING**

G. ADDITIONAL PERSONNEL MATTERS

H. ADJOURNMENT

*The Bellingham Whatcom County Housing Authority Board of Commissioners will meet electronically on Tuesday, September 16, 2025. **Board Members and the public can attend this meeting via zoom or in person at the BWCHA Board Room located at 321 N. Samish Way.***

*Those who wish to provide **public comment** may send direct e-mail to [publiccomment@bellinghamhousing.org](mailto:publiccomment@bellinghamhousing.org) and must be submitted no later than 5pm on the day prior to the meeting.*

**Meeting Information**

**Webinar ID:** 868 2734 6793

**[Click Here to Join on Computer, Tablet, or Smart Phone](#)** (data rates may apply)

**To Join via Phone** - (phone service provider rates may apply)

(253) 215-8782 (Tacoma); (206) 337-9723 (Seattle)



## **Bellingham & Whatcom County Housing Authorities**

**To:** Board of Commissioners  
**From:** Andrew Calkins, Executive Director / CEO  
**Date:** September 16<sup>th</sup>, 2025  
**Re:** Executive Director's Update

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### **Staffing Updates**

We have filled one of two temporary Maintenance Tech-Flooring positions and continue recruitment efforts on the second temporary flooring position. We are in the final steps of hiring for the Building Services Tech I position and also began recruitment efforts for a Grounds Tech III role.

### **Federal Budget**

The FY 2026 federal fiscal year begins on October 1<sup>st</sup> and Congress has yet to approve a new budget. At this stage, a continuing resolution of some length is likely, providing more time for the House and Senate to work together on compromise proposals. As previously shared, the Senate's budget proposal was written with bipartisan involvement for HUD programs provided slight increases for the Housing Choice Voucher HAP renewals but decreased Public Housing operating funding by 12%. We are budgeting accordingly.

### **Whatcom County EDI Board's Housing Recommendations**

The Whatcom County Economic Development Investment Board (EDI) met on August 26<sup>th</sup> for a second time to continue reviewing applications for affordable housing funding received in response to a request for proposals. The board voted to recommend funding for BWCHA's Unity Street Redevelopment Project in the full amount requested of \$1 million, with County Council approving these recommendations on September 9<sup>th</sup>.

The EDI board did not agree to use available funding for additional projects that responded to the RFP due to disagreements over what constituted affordable workforce housing, leaving approximately \$1.3 million unallocated. The County Council ultimately voted to allocate this funding to Opportunity Council's Bellis Fair II Senior Housing project.

### **HUD-VASH Vouchers**

BWCHA's Housing Programs team worked with the local Department of Veterans Affairs to submit a Registration of Interest (ROI) to HUD for an additional 10 HUD-VASH vouchers for veterans experiencing homelessness.

### **All Staff Summer Picnic**

BWCHA held an all staff summer picnic on August 19<sup>th</sup>, which was an opportunity for teams to take a break, engage in conversation and games with team members from other departments,



and enjoy the sun. My thanks to Lisa Hansen for organizing the successful event and the excellent food options.

### **Community Connections**

- In August, I met with Whatcom County Executive Sidhu to discuss the Unity Street Redevelopment project. I also met with Whatcom County Council Chair Kaylee Galloway to discuss the authority's development pipeline, as well as current funding and operational issues.
- The Whatcom County Housing Advisory Committee (WCHAC) met on August 14<sup>th</sup> and selected Mercy Housing's Oldtown Senior Housing project as the region's priority for a 9% LIHTC allocation. The Committee also reviewed other known projects in the development pipeline. Because of the rising costs of projects and the diminishing value of an annual credit allocation, new construction projects using the 9% program can need up to two years of credit allocation.
- Bellingham's Community Development Advisory Board (CDAB) meets again on Thursday September 11<sup>th</sup> and will review the City's draft Consolidated Annual Performance and Evaluation Report (CAPER) submission to HUD.

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### **Events of Note for Commissioners:**

- **Housing Washington Conference** – Bellevue, WA - September 29<sup>th</sup> and 30<sup>th</sup>  
<https://www.housingwa.org/>
- **Whatcom Housing Alliance's Housing Week** - October 14<sup>th</sup> through 17<sup>th</sup>  
Schedule of events: <https://whatcomhousingalliance.org/projects/housing-week/>

**Bellingham Housing Authority  
2nd Quarter Budget to Actual  
6/30/2025**

<b>Bellingham Housing Authority All Funds</b>										
		Month to Date Actual	Month to Date Budget	Variance	% Var	Year to Date Actual	Year to Date Budget	Variance	% Var	Annual Budget
<b>Income</b>										
Rental Income	2	278,598.95	259,065.30	19,533.65	7.54	1,726,503.21	1,554,391.80	172,111.41	11.07	3,108,783.71
Other Tenant Income	3	5,640.59	7,467.73	-1,827.14	-24.47	46,543.08	44,806.38	1,736.70	3.88	89,612.88
Grant Income	4	2,907,407.44	2,256,822.91	650,584.53	28.83	15,545,201.18	13,540,937.46	2,004,263.72	14.80	27,081,874.89
Fee Income	5	404,478.66	198,136.20	206,342.46	104.14	1,166,386.85	1,188,817.20	-22,430.35	-1.89	2,377,634.25
Grounds Income	6	31,906.31	31,906.36	-0.05	0.00	191,437.86	191,438.16	-0.30	0.00	382,876.31
Other Income	7	9,523.93	107,729.22	-98,205.29	-0.91	626,476.28	646,375.32	-19,899.04	-15.48	1,292,750.55
<b>Total Income</b>		<b>3,637,555.88</b>	<b>2,861,127.72</b>	<b>776,428.16</b>	<b>27.1%</b>	<b>19,302,548.46</b>	<b>17,166,766.32</b>	<b>2,135,782.14</b>	<b>12.4%</b>	<b>34,333,532.59</b>
<b>Expense</b>										
Administrative Expense	8	626,368.85	448,760.46	-177,608.39	-39.58	3,070,634.00	2,692,562.76	-378,071.24	-14.04	5,385,125.03
Tenant Services Expense	9	1,196.99	3,175.20	1,978.21	62.30	15,951.49	19,051.20	3,099.71	16.27	38,102.46
Utility Expense	10	65,272.00	72,304.62	7,032.62	9.73	445,544.80	433,827.72	-11,717.08	-2.70	867,655.33
Maintenance Expense	11	242,412.90	259,395.04	16,982.14	6.55	1,611,463.47	1,556,370.24	-55,093.23	-3.54	3,112,740.11
General Expense	12	32,366.36	34,664.97	2,298.61	6.63	214,189.33	207,989.82	-6,199.51	-2.98	415,979.62
Housing Assistance Expense	13	2,212,459.00	1,923,065.73	-289,393.27	-15.05	13,226,581.00	11,538,394.38	-1,688,186.62	-14.63	23,076,788.80
Other Expenses	14	7,277.87	66,020.96	58,743.09	0.89	46,708.20	396,125.76	349,417.56	0.88	792,251.56
<b>Total Expense</b>		<b>3,187,353.97</b>	<b>2,807,386.98</b>	<b>-379,966.99</b>	<b>100.00</b>	<b>18,631,072.29</b>	<b>16,844,321.88</b>	<b>-1,786,750.41</b>	<b>100.00</b>	<b>33,688,642.91</b>
<b>Net Income</b>		<b>450,201.91</b>	<b>53,740.74</b>	<b>396,461.17</b>		<b>671,476.17</b>	<b>322,444.44</b>	<b>349,031.73</b>		<b>644,889.68</b>

<b>Bellingham Housing Authority Public Housing and COCC</b>										
		Month to Date Actual	Month to Date Budget	Variance	% Var	Year to Date Actual	Year to Date Budget	Variance	% Var	Annual Budget
<b>Income</b>										
Rental Income		216,914.50	208,666.55	8,247.95	3.95	1,232,515.87	1,251,999.30	-19,483.43	4.49	2,503,998.63
Other Tenant Income		5,640.59	7,424.01	-1,783.42	-24.02	46,543.08	44,544.06	1,999.02	-26.44	89,088.19
Grant Income		41,765.62	103,910.25	-62,144.63	-59.81	545,015.89	623,461.50	-78,445.61	-12.58	1,246,923.00
Fee Income		404,478.66	180,467.47	224,011.19	124.13	1,166,386.85	1,082,804.82	83,582.03	7.72	2,165,609.48
Grounds Income		31,906.31	31,906.36	-0.05	0.00	191,437.86	191,438.16	-0.30	0.00	382,876.31
Other Income		93.00	14,127.83	-14,034.83	-99.34	7,172.07	84,766.98	-77,594.91	-91.54	169,534.00
<b>Total Income</b>		<b>700,798.68</b>	<b>546,502.47</b>	<b>154,296.21</b>	<b>-99.34</b>	<b>3,189,071.62</b>	<b>3,279,014.82</b>	<b>-89,943.20</b>	<b>-93.90</b>	<b>6,558,029.61</b>
<b>Expense</b>										
Administrative Expense		204,504.23	196,081.75	-8,422.48	-4.30	1,404,528.36	1,176,490.50	-228,037.86	-19.38	2,352,980.68
Tenant Services Expense		919.95	591.67	-328.28	-55.48	4,154.95	3,550.02	-604.93	-17.04	7,100.00
Utility Expense		63,371.91	57,102.75	-6,269.16	-10.98	419,896.09	342,616.50	-77,279.59	-22.56	685,232.87
Maintenance Expense		232,366.73	252,463.59	20,096.86	7.96	1,510,245.06	1,514,781.54	4,536.48	0.30	3,029,562.89
General Expense		25,012.34	28,006.09	2,993.75	10.69	180,159.00	168,036.54	-12,122.46	-7.21	336,073.06
<b>Total Expense</b>		<b>526,175.16</b>	<b>534,245.85</b>	<b>8,070.69</b>	<b>13.48</b>	<b>3,518,983.46</b>	<b>3,205,475.10</b>	<b>-313,508.36</b>	<b>13.48</b>	<b>6,410,949.50</b>
<b>Net Income</b>		<b>174,623.52</b>	<b>12,256.62</b>	<b>162,366.90</b>		<b>-329,911.84</b>	<b>73,539.72</b>	<b>-403,451.56</b>		<b>147,080.11</b>

**Bellingham Housing Authority HCV (Section 8)**

	Month to Date Actual	Month to Date Budget	Variance	% Var	Year to Date Actual	Year to Date Budget	Variance	% Var	Annual Budget
<b>Income</b>									
Grant Income	2,865,641.82	2,152,912.66	712,729.16	33.11	15,000,185.29	12,917,475.96	2,082,709.33	16.12	25,834,951.89
Other Income	45.13	4,793.46	-4,748.33	-0.99	57,627.40	28,760.76	28,866.64	1.00	47,202.02
<b>Total Income</b>	<b>2,865,686.95</b>	<b>2,157,706.12</b>	<b>707,980.83</b>	<b>32.8%</b>	<b>15,057,812.69</b>	<b>12,946,236.72</b>	<b>2,111,575.97</b>	<b>16.3%</b>	<b>25,882,153.91</b>
<b>Expense</b>									
Administrative Expense	295,688.00	173,077.63	-122,610.37	-70.84	1,242,101.33	1,038,465.78	-203,635.55	-19.61	2,076,931.43
Tenant Services Expense	179.50	1,836.87	1,657.37	90.23	1,850.90	11,021.22	9,170.32	83.21	22,042.49
Maintenance Expense	435.94	492.74	56.80	11.53	3,292.44	2,956.44	-336.00	-336.00	5,912.87
General Expense	916.43	472.14	-444.29	-94.10	25,544.58	2,832.84	-22,711.74	-801.73	5,665.64
Housing Assistance Expense	2,212,459.00	1,923,065.73	-289,393.27	-19.57	13,226,581.00	11,538,394.38	-1,688,186.62	-14.63	23,076,788.80
<b>Total Expense</b>	<b>2,509,678.87</b>	<b>2,098,945.11</b>	<b>-410,733.76</b>	<b>-15.05</b>	<b>14,499,370.25</b>	<b>12,593,670.66</b>	<b>-1,905,699.59</b>	<b>-14.63</b>	<b>25,187,341.23</b>
<b>Net Income</b>	<b>356,008.08</b>	<b>58,761.01</b>	<b>297,247.07</b>		<b>558,442.44</b>	<b>352,566.06</b>	<b>205,876.38</b>		<b>694,812.68</b>

**Bellingham Housing Authority Local Fund**

	Month to Date Actual	Month to Date Budget	Variance	% Var	Year to Date Actual	Year to Date Budget	Variance	% Var	Annual Budget
<b>Income</b>									
Nondwelling income	28,909.38	37,359.17	-8,449.79	-0.23	223,975.83	224,155.02	-179.19	0.00	448,310.08
Management Fee Income	6,520.65	16,808.78	-10,288.13	-0.61	80,166.40	100,852.68	-20,686.28	-0.21	156,475.00
Other Income	35,733.22	102,707.46	-66,974.24	31.04	751,521.92	616,244.76	135,277.16	0.22	1,278,244.59
<b>Total Income</b>	<b>71,163.25</b>	<b>156,875.41</b>	<b>-85,712.16</b>	<b>0.00</b>	<b>1,055,664.15</b>	<b>941,252.46</b>	<b>114,411.69</b>	<b>0.00</b>	<b>1,883,029.67</b>
<b>Expense</b>									
Administrative Expense	126,176.62	79,601.08	-46,575.54	-58.51	424,004.28	477,606.48	53,602.20	11.22	955,212.92
Tenant Services	97.54	746.66	649.12	86.94	9,945.64	4,479.96	-5,465.68	-122.00	8,959.97
Utility Expense	1,900.09	15,201.87	13,301.78	87.50	25,648.71	91,211.22	65,562.51	71.88	182,422.46
Maintenance Expense	9,610.23	6,438.71	-3,171.52	-49.26	97,925.97	38,632.26	-59,293.71	-153.48	77,264.35
General Expense	6,437.59	6,186.74	-250.85	-4.05	8,485.75	37,120.44	28,634.69	77.14	74,240.92
Other Expenses	7,277.87	66,020.96	58,743.09	88.97	46,708.20	396,125.76	349,417.56	80.50	792,251.56
<b>Total Expense</b>	<b>151,499.94</b>	<b>174,196.02</b>	<b>22,696.08</b>	<b>13.03</b>	<b>612,718.55</b>	<b>1,045,176.12</b>	<b>432,457.57</b>	<b>41.38</b>	<b>2,090,352.18</b>
<b>Net Income</b>	<b>-80,336.69</b>	<b>-17,276.89</b>	<b>-63,059.80</b>		<b>442,945.60</b>	<b>-103,661.34</b>	<b>546,606.94</b>		<b>-207,322.51</b>

**BELLINGHAM HOUSING AUTHORITY**  
**Statement of Net Position**  
**6/30/2025**

		12/31/2024	6/30/2025	\$ Change	% Change
<b>ASSETS</b>					
<i>Current Assets</i>					
Cash and cash equivalents	1	\$ 15,175,158	\$ 17,516,809	2,341,651	15%
Restricted cash - tenant security deposits	2	310,413	311,505	1,092	0%
Restricted cash - other	3	1,720,477	1,720,477	0	0%
Accounts receivable (net)					
Tenants	4	398,688	453,985	55,297	14%
Fraud recovery	5	2,825	2,825	-	0%
Miscellaneous	6	1,022,167	975,205	(46,962)	-5%
Current portion of notes receivable					
Component units	7	334,949	334,949	-	0%
Short term lease	8	204,337	204,337	-	0%
Prepaid expenses	9	287,206	1,116,282	829,076	289%
Inventories	10	<u>23,385</u>	<u>23,385</u>	-	0%
Total Current Assets		19,479,605	22,659,760		
<i>Non-Current Assets</i>					
Restricted investments					
Accrued interest receivable	11	11,917,041	10,325,938	(1,591,103)	-13%
Notes receivable					
Component units	12	74,649,715	73,970,420	(679,295)	-1%
Long term lease receivable	13	1,852,497	1,852,497	-	0%
Investment in tax credit partnerships	14	6,256,376	6,256,376	-	0%
Net Pension Asset	15	762,872	762,872	-	0%
Capital assets					
Non-depreciable	16	6,370,798	6,397,607	26,809	0%
Net depreciable	17	<u>39,156,320</u>	<u>39,203,956</u>	47,636	0%
Total Non-Current Assets		140,965,619	138,769,666		
<b>Total Assets</b>		<u><u>160,445,224</u></u>	<u><u>161,429,426</u></u>		
<i>Deferred Outflows of Resources</i>					
Amounts related to pensions	18	1,194,394	1,194,394	-	0%
Amounts related to OPEB	19	<u>16,832</u>	<u>16,832</u>	-	0%
<b>Total Deferred Outflows of Resources</b>		<u><u>1,211,226</u></u>	<u><u>1,211,226</u></u>		
<b>LIABILITIES</b>					
<i>Current Liabilities</i>					
Accounts payable	20	813,085	1,241,924	428,839	53%
Tenant security deposits	21	333,029	349,288	16,259	5%
Unearned revenues	22	275,287	266,427	(8,860)	-3%
Accrued liabilities - other	23	499,524	311,322	(188,202)	-38%
Short term lease liability	24	34,022	34,022	-	0%
Short term compensated absences	25	429,923	429,923	0	0%
Current portion of long term debt					
Capital projects	26	1,111,944	1,104,262	(7,682)	-1%
Component units	27	<u>355,078</u>	<u>355,078</u>	-	0%
Total Current Liabilities		3,851,892	4,092,247		
<i>Non-Current Liabilities</i>					
Accrued interest payable	28	1,043,340	1,024,511	(18,829)	-2%
Bonds, notes and loans payable					
Capital projects	29	23,150,890	23,150,890	-	0%
Component units	30	29,098,862	29,098,862	-	0%
Accrued compensated absences	31	312,987	312,987	0	0%
Long term lease liability	32	42,729	42,729	-	0%
Other post employment benefits	33	1,799,945	1,799,945	(0)	0%
Net pension liability	34	<u>308,043</u>	<u>308,043</u>	(0)	0%
Total Non-Current Liabilities		55,756,797	55,737,966		
<b>Total Liabilities</b>		<u><u>59,608,689</u></u>	<u><u>59,830,213</u></u>		
<i>Deferred inflows of resources</i>					
Amounts related to pensions	35	374,280	374,280	-	0%
Amounts related leases	36	<u>1,951,495</u>	<u>1,951,495</u>	-	0%
<b>Total Deferred Inflows of Resources</b>		<u><u>2,325,775</u></u>	<u><u>2,325,775</u></u>		
<b>NET POSITION</b>					
Net investment in capital assets		21,264,284	21,346,411		
Restricted		2,460,732	2,694,539		
Unrestricted		<u>75,996,970</u>	<u>75,920,318</u>		
<b>Total Net Position</b>		<u><u>\$ 99,721,986</u></u>	<u><u>\$ 99,961,268</u></u>		

# Bellingham Housing Authority 2nd Quarter 2025 Financial Report

## Analysis – Budget to Actual Income Statement (BHA All Funds)

### Variances of Year to Date over 10% explained:

#### Revenue Variances

##### *Rental Income (line 2) (11.07%)*

Rental income consists of tenant rent, interest, and nondwelling rental income. Interest from component units is not a cash item and is not budgeted. Most of the increase is based on non-cash interest accruals for component unit debt. These are usually booked at the end of the year.

##### *Grant Income (line 4) (14.8%)*

Grant income consists of operating subsidies, housing assistance payments, admin fees and capital grants. Most of the increase is in housing assistance payments, based on increased utilization.

##### *Other Income (line 7) (-15.48%)*

Other income consists of miscellaneous income, developer fees, cash flow waterfall, and insurance proceeds. Most of the budgeted balance is the cash flow waterfall, which we recognized in April. We received a little less in developer fees than anticipated.

#### Expenditure Variances

##### *Administrative Expenses (line 8) (-14.04%)*

Administrative expenses consist of salaries and benefits, management fees paid by programs, office rent, travel and training, software licensing costs, as well as other administrative costs. Costs have increased overall. Specific increases affecting the variance are temporary office help, office rent, management fee increases, and software license fee.

##### *Tenant Services (line 9) (16.27%)*

This balance consists of resident council costs, contract tenant services, tenant screening, and EHV service costs. The decrease is based on tenant services contract expense increases.

##### *Housing Assistance Payments (line 13) (-14.63%)*

Housing assistance payments are up for the month and the year, based on increased utilization.

## Analysis – Statement of Net Position

### Variances over 10% explained:

##### *Cash and Cash Equivalent (line 1) (15%)*

The increase in cash is mainly represented in the cash flow waterfall we received.

*Tenant Receivables (line 4) (14%)*

The increase in tenant receivables reflects timing differences between when rents are posted and paid.

*Prepaid Expenses (line 9) (289%)*

The increase is primarily the result of our predevelopment costs.

*Accrued Interest Receivable (line 11) (13%)*

The decrease in accrued interest receivable reflects the cash flow waterfall payment to soft debt interest.

*Accounts Payable (line 20) (53%)*

The increase in accounts payable is reflected in costs paid by the COCC on behalf of Public Housing and the Voucher programs. It reflects timing issues between the costs incurred and paid.

*Accrued Liabilities - Other (line 23) (38%)*

Accrued liabilities other is mainly created by payroll wages and benefit expenses. The decrease in this line mainly represents payments made for these costs.

**Housing Authority of the City of Bellingham and  
Whatcom County Housing Authority  
Development Report  
September 2025**

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**New Construction**

**Closeout**

None

**Underway**

None

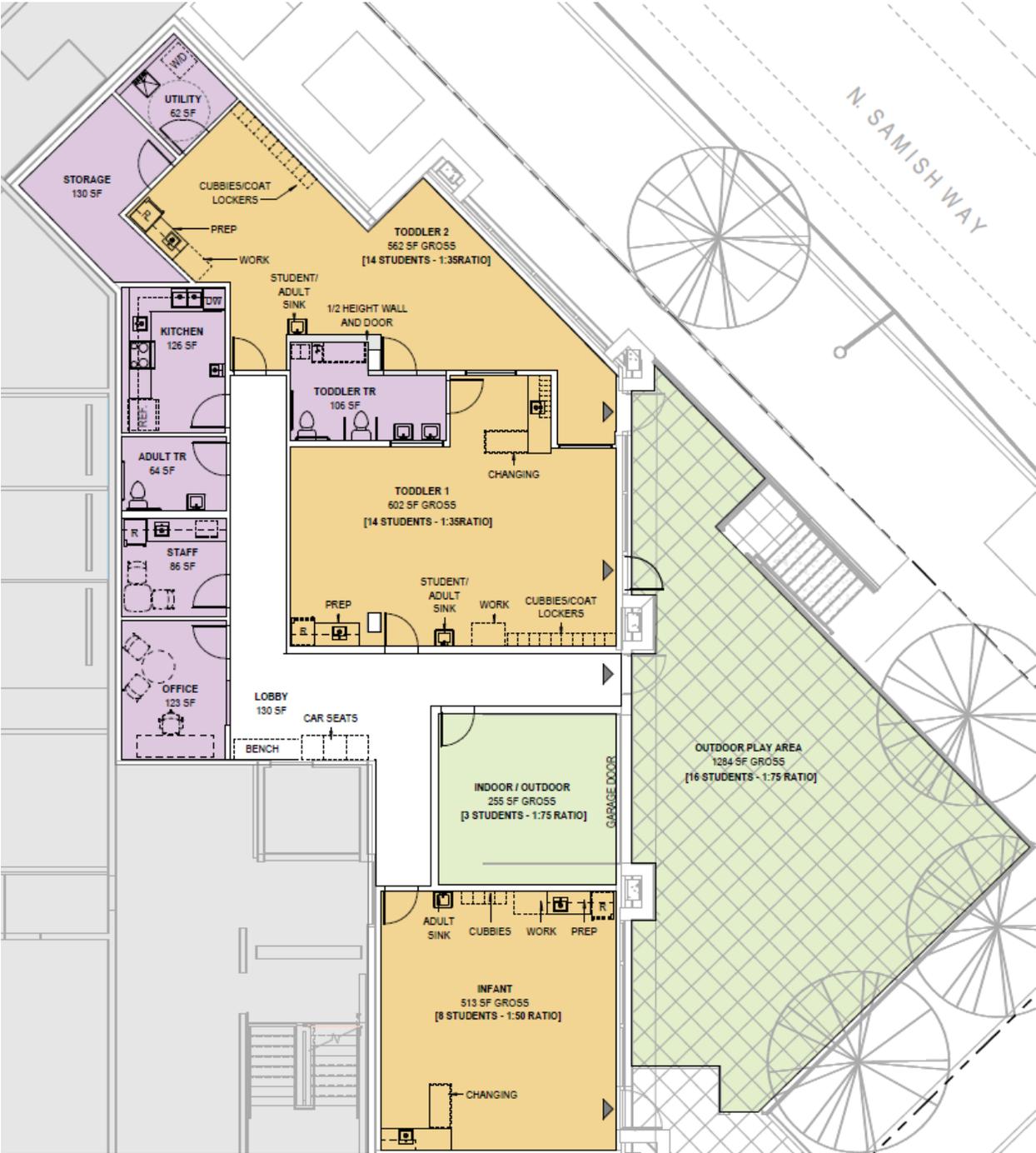
**Seeking Funding**

**Samish Commons Early Learning Center – 40 childcare slots in Bellingham**

**Estimated project cost: ~~\$1,093,637~~ \$1,800,000**

The Samish Commons Early Learning Center was awarded \$1,093,637 from the Whatcom County Community Priorities Fund, and BWCHA plans to partner with Mountain View Early Learning Center for its operations. Design development was completed in May, and project costs increased significantly based on the complexity of improvements required for a three-classroom facility, combined with ongoing volatility in the construction and materials markets. Whatcom County recently issued a Request for Proposals looking to support additional childcare opportunities through the Healthy Children’s Fund, and an application was submitted for this project. We remain optimistic that necessary funding will be secured, and a General Contractor selected before yearend.

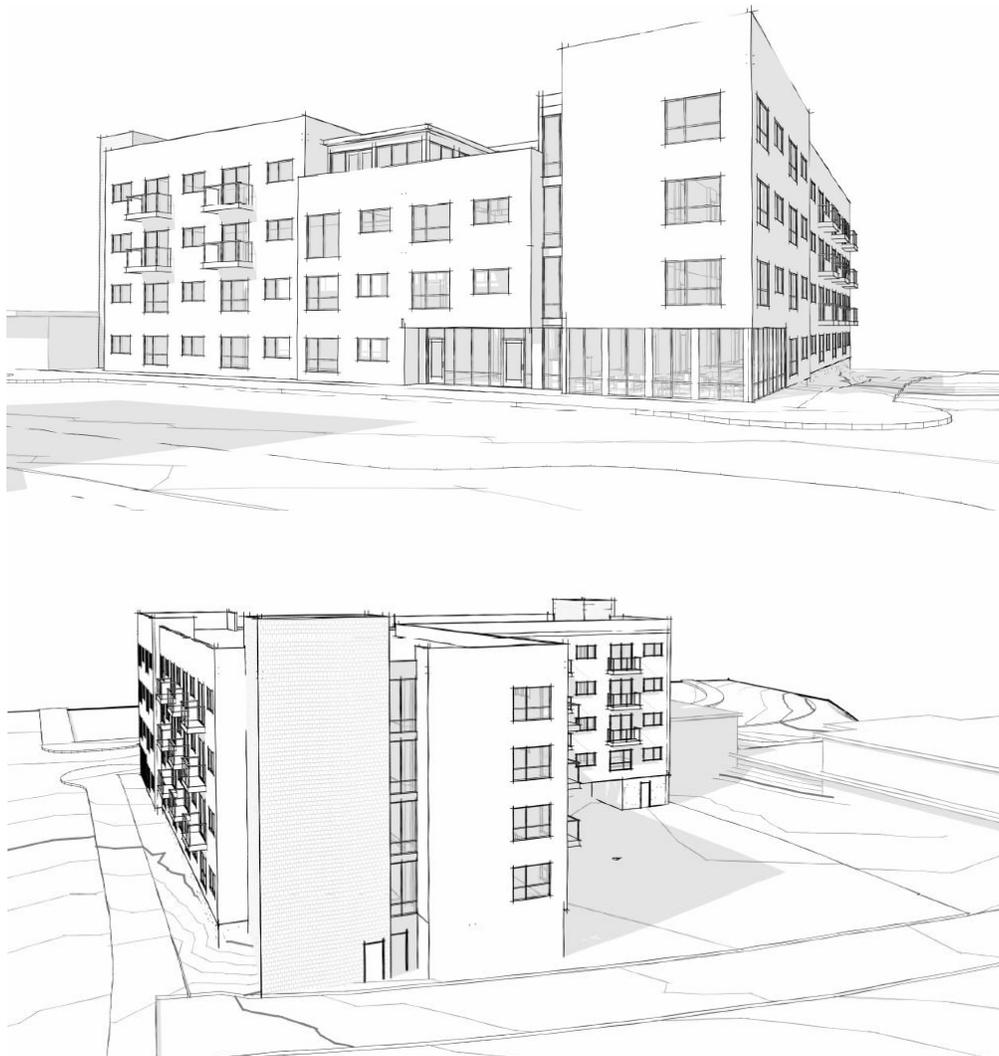
# Early Learning Center Floorplan



**Unity Street Redevelopment (Ubuntu) – 63 units of rent restricted LIHTC housing in Bellingham**  
**Estimated project cost: ~~\$28,826,106~~ \$31,062,163**

The redevelopment of BWCHA’s property located at 202 Unity Street will consist of approximately 64 apartments set-aside for households with income ranging between 30-60% of the Area Median Income. The project has been approved for \$6,148,634 from the City of Bellingham, and \$1,000,000 from Whatcom County. The next competitive funding cycle will be an application to the State Housing Trust which is due in October, for which we will be requesting \$5,000,000. This project will also be funded through the 4% Low-Income Housing Tax Credit program and tax-exempt bonds. A Neighborhood Meeting was held on July 15<sup>th</sup> and an Early Design Guidance Meeting with the Design Review Board took place on September 2<sup>nd</sup>. A General Contractor has been selected for preconstruction services and site work will commence in late 2026, contingent upon funding availability.

*Unity Street Preliminary Massing Models*



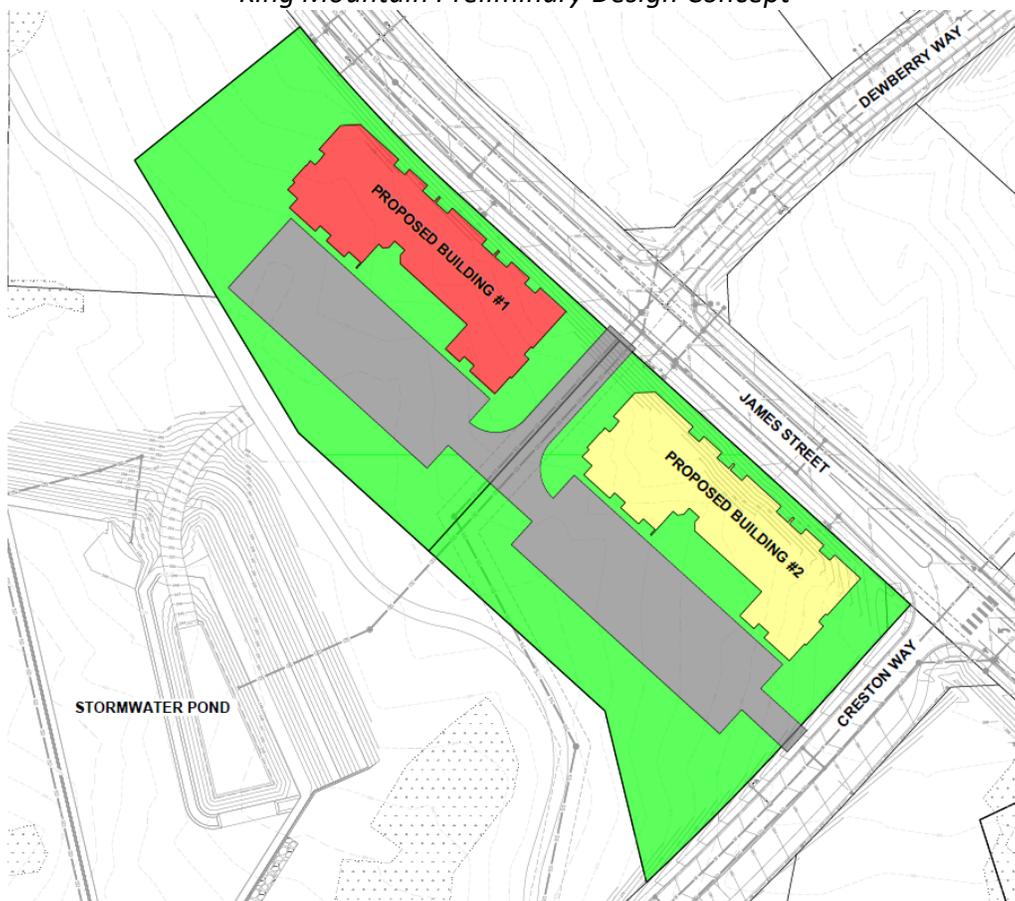
**Feasibility/Scope Development**

**Village at King Mountain – Approximately 110 units of rent restricted LIHTC housing in Bellingham**

**Estimated project cost: TBD**

In March of 2025 the BWCHA acquired two 1-acre parcels in the King Mountain neighborhood of Bellingham. The Land Acquisition Program administered by the Washington State Housing Finance Commission provided a low interest loan covering 80% of the purchase price. Our preliminary development concept includes two mixed-income buildings with apartments set-aside for households with income ranging between 30-80% of the Area Median Income. We anticipate predevelopment activities will be initiated early in 2026, and construction commencing in 2030.

*King Mountain Preliminary Design Concept*



## Major Capital Needs/Improvements

<b>Closeout</b>
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**Lincoln Square Roof Replacement – 198 units of Public Housing for seniors and persons living with disabilities in Bellingham**

**Project cost: \$1,065,999.79**

A Notice of Completion was submitted on February 12, 2025, but we are still waiting for the Washington State Department of Revenue to approve release of retainage.

<b>Underway</b>
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**Affordable Housing Capital Needs Assessments (select properties) – 5 properties with rent restricted LIHTC housing in Bellingham**

**Estimated project cost: TBD**

Comprehensive physical and capital needs assessments are being initiated at Laurel Village Apartments, Meadow Wood Townhomes (both phases), and Walton Place Apartments (both phases). The purpose of these assessments is to develop thorough knowledge of building components and systems that need replacement or modernization. An architect and engineering team was selected and a kick-off meeting was held on July 23<sup>rd</sup>. It is anticipated that a refinancing strategy will be developed after establishing a better understanding of capital project costs. Properties that will be included in this initial round of needs assessments consist of 215 combined rent restricted residential units.

**High-rise Boiler Plant Modernization – 396 units of Public Housing for seniors and people living with a disability in Bellingham**

**Estimated project cost: \$1,200,000**

All three high-rise buildings use boiler systems for hydronic heat and domestic hot water. Components of the current systems are at/near the end of their useful life and because of the specialized nature of the equipment it is becoming increasingly difficult to locate replacement parts. The maintenance and development teams have worked closely with third-party architects and engineers to prepare technical specifications, scope of work, and drawings necessary for wholesale replacement of the boiler plants. An Invitation for Bids was issued on August 27<sup>th</sup> with a due date of October 8<sup>th</sup>.

**High-rise Standby Generator Replacement – 396 units of Public Housing for seniors and people living with a disability in Bellingham**

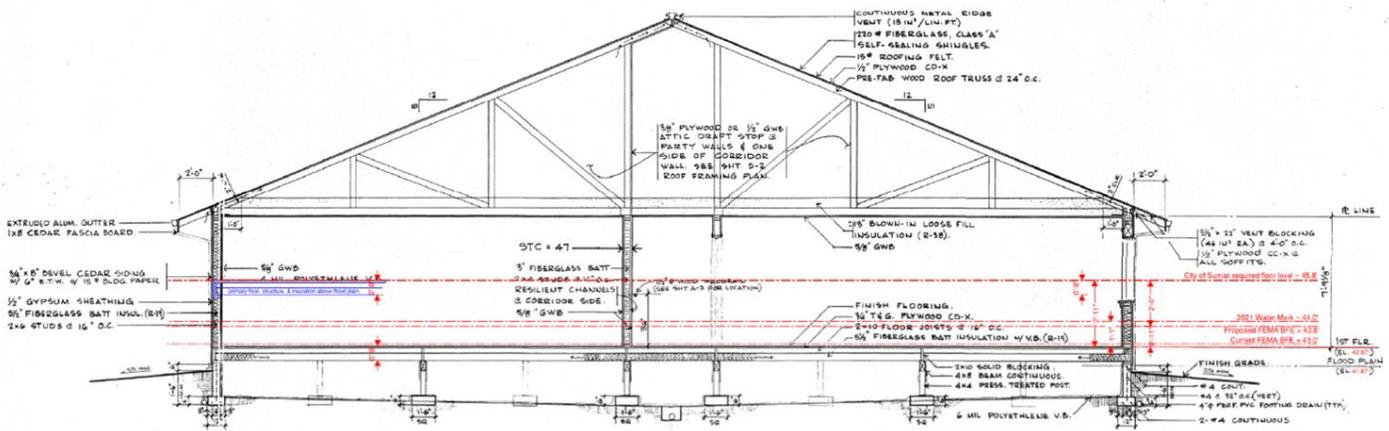
**Estimated project cost: ~~\$167,869~~ \$197,869**

Standby emergency generators at each high-rise building were installed in/around 1985 and are approaching the end of their anticipated life cycle. A contractor was selected in May, and new equipment was ordered on June 25<sup>th</sup>, but the manufacturer's production timeline has been extended to February 2026. The current generators remain fully operational and in the meantime the team is planning to install ancillary equipment including new automatic transfer switches and surge protectors for increased resiliency of electrical systems and components.

**Sumas Square Flood Repair – 11 units of rent restricted housing for seniors in Sumas**  
**Estimated project cost: TBD**

The property incurred significant damage from flooding in 2021 and remains vacant. The Washington State Department of Commerce awarded \$2,800,000 in funding from the Community Development Block Grant – Disaster Recovery program (CDBG-DR), and these funds will be combined with \$957,531 in FEMA disaster assistance to cover all anticipated expenses. In addition to flood restoration, there are major components needing modernization and the introduction of CDBG-DR funding triggered additional scope requirements related to ADA accessibility and green and resilient building standards. To help protect against future flooding the building will be elevated 3-4'. An architect and engineering team was selected at the end of August and design work has been initiated.

*Building Section to Illustrate Mitigation Requirements*



**Whatcom County Playground Modernization – 63 units of Public Housing for families in Bellingham and Blaine**

**Estimated project cost: \$158,115**

The play equipment structures located at both Baycrest Homes and Sea Mist Townhouses are past their useful life and need full replacement. The Birches received a new timber stack play element in 2019, but additional engineered wood fiber and ADA accessibility improvements are also needed at that site. Site work for this project began on September 12<sup>th</sup> and is expected to be completed at all sites within 4 weeks.

*New equipment Baycrest & Sea Mist  
 [same model different perspectives, color will vary]*



**Varsity Village Site Maintenance – 101 units of rent restricted housing in Bellingham**

**Estimated project cost: TBD**

The development team is working in partnership with coworkers from the Maintenance and Operations departments to advance various site improvement projects at Varsity Village. Specific projects include the procurement and execution of soft washing for all buildings to remove grime and organic matter, installation of new playground surfacing for improved safety and accessibility, application of new landscape mulch for beautification and plant health, and engaging an arborist for removal of problematic tree limbs.

**Seeking Funding**

None

## Feasibility/Scope Development

### **High-rise Parking Lot Sealing & Striping – 396 units of Public Housing for seniors and people living with a disability in Bellingham**

**Estimated project cost: TBD**

Parking lots throughout our portfolio are due for sealcoating and striping to protect and extend the life of asphalt surfacing. The team is defining the scope of work for procurement and will be starting at the three high-rise properties in Bellingham. These projects require careful coordination with the Operations team and residents because there will be limited access to parking areas for a couple of days while work is taking place.

### **Lincoln Square Patio Modernization – 198 units of Public Housing for seniors and persons living with disabilities in Bellingham**

**Estimated project cost: TBD**

The outside patio area adjacent to the community room at Lincoln Square is due for modernization and upgrades. Shifting soil and other environmental conditions (e.g. tree roots) have resulted in heaving of pavers which complicates accessibility, and various landscape improvements are also needed. This project is in the early design phase to determine appropriate strategies for mitigating current challenges while creating a welcoming outdoor space for residents to garden, socialize, and relax.

### **SeaMist Townhouses Roof Replacement – 12 units of Public Housing for families in Blaine**

**Estimated project cost: TBD**

The shingle roofs at SeaMist Townhouses are at or near the end of their useful life so replacement is being planned. We are striving to have this work completed before yearend depending upon necessary procurement timelines and weather conditions.

### **Washington Square Window Replacement – 97 units of Public Housing for seniors and persons living with disabilities in Bellingham**

**Estimated project cost: TBD**

All windows in our high-rise properties are beyond their expected useful life, and we are working through phased replacement beginning with building aspects that experience the harshest weather conditions. Similar to how windows were replaced on the south facing aspect of Chuckanut Square in 2023, we are planning to replace windows on the south-west side of Washington Square in 2026. This project is in early design and scope development.



**Bellingham &  
Whatcom County  
Housing Authorities**

333 N Samish Way  
Bellingham, WA 98225

P.O. Box 9701  
Bellingham, WA 98227

## **MEMORANDUM**

**TO:** Board of Commissioners

**FROM:** Kate Donnelly, Chief Operating Officer

**DATE:** September 16, 2025

**SUBJECT:** Resolution 2822 – FY 2026 BHA PHA Plan  
[Link to the FY 2026 BHA PHA Plan](#)

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### **BACKGROUND**

The Public Housing Agency (PHA) Plan is a comprehensive guide to the policies, programs, operations, and strategies for meeting local housing needs and goals. PHA's are required to submit Annual Plans, and a 5-Year Plan every fifth fiscal year to HUD.

### **SUMMARY**

This year, BHA is submitting both an annual and 5-Year Plan, including updates to plan elements, agency goals, objectives and progress this year.

In addition, BHA is proposing updates to the Public Housing Lease, the Admissions and Continued Occupancy Policy (ACOP) and the Housing Choice Voucher Administrative Plan (AP). The ACOP and AP are the guiding policy and procedural documents for the public housing and voucher programs.

We reviewed the proposed plan, including ACOP and AP revisions at the August meeting. Exhibit A, attached to this memo contains a comprehensive summary of this year's revisions. The plan incorporates one additional revision to Chapter 4, page 15 of the AP regarding administration of the Emergency Housing Voucher (EHV) program. Specifically, a local preference was added for EHV participants whose assistance is at risk of termination due to a lack of program funding. No additional revisions were made.

We also reviewed revisions to the Public Housing Lease, required by Bellingham Municipal Code 6.16 – Prohibited Fees and Deposits in Residential Rentals. One additional update has been made since the August meeting. HUD provided guidance that public housing leases include a reference to the public housing over-income rule. This has been added to the 'Termination of Lease' section.

The public comment period was July 21 through September 5; no comments were received.

We recommend approval of Resolution 2822 approving the FY 2026 BHA PHA Plan that will be effective January 1, 2026.

The following resolution was brought before the Board of Commissioners for consideration:

APPROVE 2026 PUBLIC HOUSING AUTHORITY (PHA) PLAN

WHEREAS, the U.S. Department of Housing and Urban Development requires the Housing Authority of the City of Bellingham to approve the PHA Plan; and

WHEREAS, it is necessary to update the Admissions and Continued Occupancy Policy to clarify and/or add language allowed by the U.S. Department of Housing and Urban Development (HUD) to comply with the Public Housing Program governed by 24 CFR 5. The attached Exhibit A provides a summary of proposed changes and additions to the Admissions and Continued Occupancy Policy; and

WHEREAS, it is necessary to update the Housing Choice Voucher Administrative Plan to clarify and/or add language allowed by the U.S. Department of Housing and Urban Development (HUD) to comply with the Housing Choice Voucher Program governed by 24 CFR 982. The attached Exhibit A provides a summary of the proposed changes and additions to the Housing Choice Voucher Administrative Plan; and

WHEREAS, it is necessary to update the Public Housing Lease in accordance with Bellingham Municipal code 6.16 – Prohibited Fees and Deposits in Residential Rentals and HUD Notice PIH 2023-03; and

WHEREAS, a public hearing and resident advisory board meetings have been held for public comments and the comments have been considered; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Housing Authority of the City of Bellingham that the PHA Plan and required attachments and policies are hereby approved as stated on the certification attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized to submit the approved PHA Plan to the U. S. Department of Housing and Urban Development.

DATED this 16th day of September 2025.

Commissioner \_\_\_\_\_ moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by Commissioner \_\_\_\_\_, and upon roll call, the "ayes" and "nays" were as follows:

AYES

NAYS

The Chair thereupon declared the motion carried and the resolution adopted.

BY: \_\_\_\_\_  
Stephen Gockley, Chair

ATTEST: \_\_\_\_\_  
Andrew Calkins, Secretary/Treasurer

**EXHIBIT A**  
**BOARD OF COMMISSIONERS MEETING OF**  
**SUMMARY OF PROPOSED CHANGES**  
**2026 PUBLIC HOUSING AUTHORITY (PHA) PLAN**

**September 16, 2025**

The following elements of the PHA Plan have been revised as follows:

***Plan Templates***

HUD 5-Year PHA Plan (50075-5Y) & HUD Streamlined Annual PHA Plan (50075-HP)

- Updated Goals, Objectives and Progress Report to reflect goal and objectives for the next 5 years and progress over the past year on current goals.
- Updated definitions of “substantial deviation” and “significant amendment/modification”.
- Updated PHA Plan Elements to reflect plans for the next year.
- Statement of Progress in Meeting the 5 Year Plan Goals and Objectives – updated to reflect progress on current goals and include goals and objectives for the next five years.

***Public Housing Lease***

The lease was updated in conformance with the City of Bellingham’s August 1<sup>st</sup>, 2025, rental fee laws (Bellingham Municipal Code 6.16 – Prohibited Fees and Deposits in Residential Rentals).

Pursuant to HUD Notice PIH 2023-03, a reference to the public housing over-income rule was added.

***The Admissions and Continued Occupancy Policy (ACOP)***

The revisions noted below represent policy changes, significant revisions, changes in practice, clarification/clean up language and updated regulatory citations.

- Introduction
  - Added explanation of HOTMA changes throughout the policy document, including changes for HOTMA Sections 102 and 104.
- Chapter 1
  - This chapter contains only minor corrections to bring the content current.
- Chapter 2
  - This chapter contains only minor corrections to bring the content current.
- Chapter 3
  - Called out and added policies that will be effective prior to the PHA’s HOTMA 102/104 compliance date.
  - Clarified language regarding the EIV Income Report.
  - Clarified language regarding restriction on assistance based on assets.
- Chapter 4
  - Refined language on local preferences to account for changes brought about by the HOTMA Voucher Final Rule affecting public housing.
- Chapter 5
  - This chapter contains only minor corrections to bring the content current.
- Chapter 6
  - Split Chapter 6 into two chapters: 6.A and 6.B.
  - Chapter 6.A represents the policies the PHA will use prior to the HOTMA 102/104 compliance date.
  - Chapter 6.B represents the policies the PHA will use upon the HOTMA 102/104 compliance date and contains changes made to the previously released version of Chapter 6. This includes:
    - Clarifications regarding the definition of annual income.
    - Clarifications regarding student financial assistance requirements under HOTMA.

- Clarifications regarding periodic payments, including Social Security benefits and the treatment of alimony and child support.
- Clarifications regarding amounts adjusted annually under inflation under HOTMA.
- Updates to the list of federally mandated income exclusions.
- Clarifications regarding assets, including assets disposed of for less than fair market value, necessary vs. non-necessary personal property, checking, savings, and investment accounts, and trusts.
- Clarifications regarding health and medical care expenses, and childcare expenses.
- Chapter 7
  - Split Chapter 7 into two chapters: 7.A and 7.B.
  - Chapter 7.A. represents the policies the PHA will use prior to the HOTMA 102/104 compliance date.
  - Chapter 7.B represents the policies the PHA will use upon the HOTMA 102/104 compliance date and contains changes made to the previously released version of Chapter 7. This includes:
    - Changes regarding the use of consent forms, specifically as related to HUD-9886-A.
    - Clarifications regarding amounts adjusted annually under inflation under HOTMA.
    - Policy revisions for streamlined income determinations from fixed sources of income.
    - Certain updates for Notice PIH 2023-27 regarding verification requirements, use of EIV + self-certification, verification of net family assets, self-certification of real property ownership, and treatment of zero-income families.
- Chapter 8
  - Updated language in conformance with Bellingham Municipal Code 6.16.
- Chapter 9
  - Split Chapter 9 into two chapters: 9.A and 9.B.
    - Chapter 9.A. represents the policies the PHA will use prior to the HOTMA 102/104 compliance date.
  - Chapter 9.B represents the policies the PHA will use upon the HOTMA 102/104 compliance date and contains changes made to the previously released version of Chapter 9. This includes:
    - Minor clarifications regarding calculating annual income at reexamination.
    - Minor revisions regarding non-interim reexamination transactions.
- Chapter 10
  - Updated language in conformance with Bellingham Municipal Code 6.16.
- Chapter 12
  - This chapter contains only minor corrections to bring the content current.
- Chapter 13
  - Added a callout to state that the section on failure to provide consent is effective upon the PHA's HOTMA 102/104 compliance date.
  - Clarified language regarding over-income families.
  - Added a section on the asset limitation with a callout effective upon the PHA's HOTMA 102/104 compliance date.
  - Clarified policy language regarding notice to vacate.
- Chapter 14
  - This chapter contains only minor corrections to bring the content current.
  - Revised PHA Policy for grievance hearings for lease terminations.
- Chapter 15
  - Added a callout to state that the section on de minimis errors is effective upon the PHA's HOTMA 102/104 compliance date.
- Chapter 16
  - Updated references regarding HUD-9886 to HUD-9886-A.
- Glossary
  - Called out various definitions for HOTMA. Definitions effective prior to and upon specific effective dates are explicitly called out.

- Appendix
  - Added a new appendix per recent HUD guidance to explicitly call out HOTMA 102/104 policies that are on hold until implementation.

***The Housing Choice Voucher Administrative Plan (Admin Plan)***

The revisions noted below represent policy changes, significant revisions, changes in practice, clarification/clean up language and updated regulatory citations.

- Chapter 3
  - Incorporated the definitions of *family*, *foster adult*, and *foster child* to be effective prior to the PHA’s general HOTMA 102/104 compliance date as required by Notice PIH 2024-38.
  - Clarified language regarding program eligibility when a debt is owed to a PHA.
- Chapter 4
  - Added a local preference for currently assisted Emergency Housing Voucher families whose assistance is at risk of termination due to a lack of program funding.
- Chapter 5
  - Clarified occupancy standards for Live-in aides.
- Chapter 6
  - Chapter 6.A. incorporates HOTMA 102/104 changes required to be implemented by July 1, 2025, per Notice PIH 2024-38. This includes changes regarding:
    - Minors
    - Full-time students and student financial assistance
    - Earned income
    - Business income
    - Periodic payments
    - Nonrecurring income
    - State payments to allow individuals with disabilities to live at home
    - Civil rights settlements
    - Federally mandated and other income exclusions
    - Lump-sum additions to net family assets
    - ABLE accounts
    - Trusts
    - Health and medical care expenses
  - Chapter 6.B represents the policies the PHA will use upon the HOTMA 102/104 compliance date. Only minor corrections and clarifications have been made to this chapter.
- Chapter 7
  - Chapter 7.A. incorporates HOTMA 102/104 changes required to be implemented by July 1, 2025, per Notice PIH 2024-38. This includes changes regarding:
    - Student financial assistance
    - The health and medical care expense deduction
  - Chapter 7.B represents the policies the PHA will use upon HOTMA 102/104 compliance date. Only minor corrections and clarifications have been made to this chapter.
- Chapter 9
  - This chapter contains only minor corrections to bring the content current.
- Chapter 11
  - Chapter 11.A. contains only one minor chapter number correction.
  - Chapter 11.B represents the policies the PHA will use upon the HOTMA 102/104 compliance date. It likewise contains only one minor chapter number correction.
- Chapter 12
  - Moved the callout to state that a newly added policy on failure to provide consent, rather than the section, is effective upon the PHA’s HOTMA 102/104 compliance date.

- Added cross reference to Chapter 16 under policy regarding consideration of circumstances.
- Chapter 14
  - Revised amount of federal awards required to have an independent audit.
  - Revised section on De Minimis Errors to be effective prior to the PHA's general HOTMA 102/104 compliance date as required by Notice PIH 2024-38.
- Chapter 15
  - This chapter contains only minor corrections to bring the content current.
  - Revised section on General Repayment Agreement Guidelines for Families to better align with HUD protocols.
- Chapter 18
  - Multiple sections of this chapter have been revised to align with Notice PIH 2025-03, RAD Supplemental Notice 4C.
- Glossary
  - Removed references to various definitions related to HOTMA 102/104 becoming to be effective upon the compliance date as required by Notice PIH 2024-38.
- Appendix
  - Revised appendix to explicitly call out HOTMA 102/104 policies that are on hold until implementation versus policies that are applicable no later than July 1, 2024, per Notice PIH 2024-38.

**Certifications of Compliance with  
PHA Plan and Related Regulations  
(Standard, Troubled, HCV-Only, and  
High Performer PHAs)**

**U.S. Department of Housing and Urban Development**  
Office of Public and Indian Housing  
**OMB No. 2577-0226**  
**Expires: 09/30/2027**

**PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations  
including PHA Plan Elements that Have Changed**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the \_\_\_ 5-Year and/or \_\_\_ Annual PHA Plan, hereinafter referred to as “the Plan,” of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the PHA fiscal year beginning \_\_\_\_\_, in which the PHA receives assistance under 42 U.S.C. 1437f and/or 1437g in connection with the submission of the Plan and implementation thereof:*

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located (24 CFR § 91.2).
2. The Plan contains a signed certification by the appropriate State or local official (form HUD-50077-SL) that the Plan is consistent with the applicable Consolidated Plan, which includes any applicable fair housing goals or strategies, for the PHA's jurisdiction and a description of the way the PHA Plan is consistent with the applicable Consolidated Plan (24 CFR §§ 91.2, 91.225, 91.325, and 91.425).
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the Resident Advisory Board (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the way the Plan addresses these recommendations.
4. The PHA provides assurance as part of this certification that:
  - i. The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
  - ii. The changes were duly approved by the PHA Board of Directors (or similar governing body); and
  - iii. The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours. Where possible, PHAs should make documents available electronically, for public inspection upon request.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment. The PHA ensured all notices and meetings provided effective communication with persons with disabilities and further provided meaningful language access for persons with Limited English Proficiency (LEP).
6. The PHA certifies that it will carry out the public housing program of the agency in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d—4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), Title II of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), the Violence Against Women Act (34 U.S.C. § 12291 et seq.), and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of all HUD programs. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Violence Against Women Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of all HUD programs.
7. The PHA will affirmatively further fair housing, in compliance with the Fair Housing Act, 24 CFR § 5.150 et seq., 24 CFR § 903.7(o), and 24 CFR § 903.15, which means that it will take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering

fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws (24 CFR § 5.151). Pursuant to 24 CFR § 903.15(c)(2), a PHA's policies should be designed to reduce the concentration of tenants and other assisted persons by race, national origin, and disability. PHA policies should include affirmative steps stated in 24 CFR § 903.15(c)(2)(i) and 24 CFR § 903.15(c)(2)(ii). Furthermore, under 24 CFR § 903.7(o), a PHA must submit a civil rights certification with its Annual and 5-year PHA Plans, except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document. The PHA certifies that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing.

8. For PHA Plans that include a policy for site-based waiting lists:
  - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module and/or its successor system: the Housing Information Portal (HIP) in an accurate, complete and timely manner (as specified in PIH Notice 2011-65);
  - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing; and
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR 903.7(o)(1).
9. The PHA will comply with the prohibitions against discrimination based on age pursuant to the Age Discrimination Act of 1975.
10. In accordance with the Fair Housing Act, the PHA will not base a determination of eligibility for housing on actual or perceived sexual orientation, or marital status and will not otherwise discriminate because of sex (including sexual orientation).
11. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, 'Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped' for people with physical disabilities.
12. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
13. The PHA will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implement the regulations at 49 CFR Part 24 as applicable.
14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
15. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
17. The PHA will keep records in accordance with 2 CFR 200.302 and facilitate an effective audit to determine compliance with program requirements.
18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
19. The PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Financial Assistance, including but not limited to submitting the assurances required under 24 CFR §§ 1.5, 3.115, 8.50, and 107.25 by submitting an SF-424, including the required assurances in SF-424B or D, as applicable.

20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
21. All attachments to the Plan have been and will continue to always be available at all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA and, where possible, should be made available for public inspection in an electronic format.
22. The PHA certifies that it is following all applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

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PHA Name

---

PHA Number/HA Code

\_\_\_\_\_ Annual PHA Plan for Fiscal Year 20\_\_\_\_\_

\_\_\_\_\_ 5-Year PHA Plan for Fiscal Years 20\_\_\_\_\_ - 20\_\_\_\_\_

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802)

Name of Executive Director:	Name Board Chairman:
Signature: _____	Signature: _____
Date: _____	Date: _____

This information is collected to ensure compliance with PHA Plan, Civil Rights, and related laws and regulations including PHA plan elements that have changed.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Privacy Notice.** The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.





**Bellingham &  
Whatcom County  
Housing Authorities**

333 N Samish Way  
Bellingham, WA 98225

P.O. Box 9701  
Bellingham, WA 98227

## **MEMORANDUM**

**TO:** Board of Commissioners

**FROM:** Tony Casale, Director of Asset Development

**DATE:** September 16, 2025

**SUBJECT:** Resolution 2823 – Approve 2025-2029 5-Year Action Plan for the Public Housing Capital Fund Grant Program

---

### **SUMMARY**

The Housing Authority of the City of Bellingham’s draft 2025-2029 5-Year Action Plan for the Public Housing Capital Fund Grant Program was presented at the August Board Meeting, and today we seek Commissioner approval of Resolution 2823 so we can begin accessing FY2025 grants funds.

### **BACKGROUND**

As a component of the Low-Income Public Housing Program, the Bellingham Housing Authority receives an annual grant from the Department of Housing and Urban Development through their Capital Fund Program (CFP). Grant amounts are based on congressional appropriations and subject to change year-to-year, there is no competitive application process that must be followed.

The Capital Fund Program provides financial assistance to housing authorities for the specific purpose of modernizing existing public housing sites and addressing non-routine maintenance items that are not covered by the Operating Fund Program. Each year, housing authorities are required to develop or update a 5-Year Action Plan (Action Plan) to include anticipated work items that will be covered by subsequent CFP grants. Prior to finalizing a new Action Plan and accepting each year’s CFP grant, the housing authority must conduct outreach meetings with residents and resident advisory boards, hold a public hearing, and seek approval from the Board of Commissioners.

The Bellingham Housing Authority operates with a “rolling” plan, which means that it is updated each year by adding activities for the final year being covered. For example, this year we are adding work items for the FY2029 grant but are required to carry forward work items previously established for 2025-2028. Once work activities are included in an approved Action Plan they can be moved to a different year as needed, but new items cannot be added without HUD approval. Any new work activities that constitute a “significant amendment” will trigger requirements for another round of consultation meetings with residents and Commissioners.

In the 5-Year Action Plan, work items are organized based on which grant funds will be used to pay for the activities, not necessarily which calendar year during which the work will take place.

**RESOLUTION 2823**

**The following resolution was brought before the Board of Commissioners for consideration:**

**APPROVE 2025-2029 5-YEAR ACTION PLAN FOR PUBLIC HOUSING CAPITAL FUND GRANT PROGRAM**

**WHEREAS** the U.S. Department of Housing and Urban Development requires that the Housing Authority of the City of Bellingham’s Board of Commissioners approve a 5-Year Action Plan for the Public Housing Capital Fund Program prior to accepting new grant funds;

**WHEREAS** the Housing Authority of the City of Bellingham operates with a rolling 5-Year Action Plan as authorized by 24 CFR 905;

**WHEREAS** rolling 5-Year Action Plans are required to be updated and submitted annually to comply with requirements of the Public Housing program;

**WHEREAS** the attached Exhibit A containing a summary of work activity items included in the updated 5-Year Action Plan was reviewed with Commissioners during the August 2025 Board Meeting;

**WHEREAS** housing authority staff previously conducted a public hearing and resident consultation meeting(s) to advise and accept comment on the proposed 2025-2029 5-Year Action Plan; and

**WHEREAS** housing authority staff have collected all comments pertaining to this 5-Year Action Plan and described how it has/will address the recommendations or comments.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Housing Authority of the City of Bellingham that the Public Housing Capital Fund Program 2025-2029 5-Year Action Plan is hereby approved; and

**BE IT FURTHER RESOLVED** that the Executive Director or their designee is hereby authorized to submit the approved 5-Year Action Plan to the U. S. Department of Housing and Urban Development.

**DATED** this 16th day of September 2025.

Commissioner \_\_\_\_\_ moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by Commissioner \_\_\_\_\_, and upon roll call, the "ayes" and "nays" were as follows:

**AYES**

**NAYS**

**The Chair thereupon declared the motion carried and the resolution adopted.**

**BY:** \_\_\_\_\_  
Stephen Gockley, Chair

**ATTEST:** \_\_\_\_\_  
Andrew Calkins, Secretary/Treasurer

**EXHIBIT A**

**2025-2029 BHA Narrative Five Year Action Plan**

The Bellingham Housing Authority's 2025–2029 Capital Fund 5-Year Action Plan focuses on preserving and modernizing its public housing portfolio to ensure long-term viability, resident safety, and quality of life. Planned activities emphasize critical building system upgrades, resident amenity improvements, and compliance with HUD regulations. The plan includes provisions for emergency and unforeseen capital needs to address urgent health, safety, and structural concerns as they arise, ensuring Bellingham Housing Authority's ability to maintain quality housing for its residents throughout the five-year period. The years indicated are the funding years and not necessarily the project year.

**2025 HUD Allocation: \$ 1,307,252.00**

2025	Family Housing Admin	\$ 20,000.00	BHA may budget and expend up to 10% of its annual Capital Fund grant for administrative costs, including staff salaries, project management, and other eligible administrative expenses.
2025	High Rise Admin	\$ 80,000.00	
2025	Family Housing A&E	\$ 10,000.00	Program is utilized for architectural and engineering services associated with capital improvements such as siding, exterior patios, windows, and other building envelope or site-related upgrades.
2025	High Rise A&E	\$ 10,000.00	
2025	High Rise Interior & Exterior Modernization	\$ 18,759.00	Unforeseen capital needs and emergency repairs necessary to protect the health, safety, and security of residents, or to prevent further deterioration of housing properties.
2025	Family Housing Interior & Exterior Modernization	\$ 75,705.00	
2025	Chuckanut Square - Window Replacement	\$ 1,092,788.00	Continue the phased replacement of windows at Chuckanut Square. Work includes bidding, procurement, and installation of new windows.
		<b>\$ 1,307,252.00</b>	

**2026**

2026	Family Housing Admin	\$ 20,000.00	BHA may budget and expend up to 10% of its annual Capital Fund grant for administrative costs, including staff salaries, project management, and other eligible administrative expenses.
2026	High Rise Admin	\$ 80,000.00	
2026	Family Housing A&E	\$ 10,000.00	Program is utilized for architectural and engineering services associated with capital improvements such as siding, exterior patios, windows, and other building envelope or site-related upgrades.
2026	High Rise A&E	\$ 10,000.00	
2026	High Rise Interior & Exterior Modernization	\$ 25,000.00	Unforeseen capital needs and emergency repairs necessary to protect the health, safety, and security of residents, or to prevent further deterioration of housing properties.
2026	Family Housing Interior & Exterior Modernization	\$ 18,759.00	
2026	Chuckanut Square - Window Replacement	\$ 503,493.00	Complete the replacement of windows at Chuckanut Square
2026	Washington Square - Roof Replacement	\$ 640,000.00	Bid, procure, and contract for the replacement of the roof at Washington Square, including all necessary demolition, materials, labor, and related construction activities.
		<b>\$ 1,307,252.00</b>	

2027			
2027	Family Housing Admin	\$ 20,000.00	BHA may budget and expend up to 10% of its annual Capital Fund grant for administrative costs, including staff salaries, project management, and other eligible administrative expenses.
2027	High Rise Admin	\$ 80,000.00	
2027	Family Housing A&E	\$ 10,000.00	Program is utilized for architectural and engineering services associated with capital improvements such as siding, exterior patios, windows, and other building envelope or site-related upgrades.
2027	High Rise A&E	\$ 10,000.00	
2027	High Rise Interior & Exterior Modernization	\$ 28,493.00	Unforeseen capital needs and emergency repairs necessary to protect the health, safety, and security of residents, or to prevent further deterioration of housing properties.
2027	Family Housing Interior & Exterior Modernization	\$ 25,000.00	
2027	Lincoln Patio Modernization	\$ 15,000.00	Modernize and upgrade patio areas at Lincoln Square, including removal and replacement of outdated surfaces. Work may include new concrete accessibility improvements, and other related site work.
2027	Washington Square Roof Replacement	\$ 368,759.00	Finalize roof replacement at Washington Square, including all necessary materials, installation, and related repairs.
2027	High Rise Window Replacement	\$ 750,000.00	High Rise window replacement activities as needed to complete projects or to move forward to other unit window replacement.
		<b>\$ 1,307,252.00</b>	
2028			
2028	Family Housing Admin	\$ 20,000.00	BHA may budget and expend up to 10% of its annual Capital Fund grant for administrative costs, including staff salaries, project management, and other eligible administrative expenses.
2028	High Rise Admin	\$ 80,000.00	
2028	Family Housing A&E	\$ 5,000.00	Program is utilized for architectural and engineering services associated with capital improvements such as siding, exterior patios, windows, and other building envelope or site-related upgrades.
2028	High Rise A&E	\$ 10,000.00	
2028	High Rise Interior & Exterior Modernization	\$ 68,705.00	Unforeseen capital needs and emergency repairs necessary to protect the health, safety, and security of residents, or to prevent further deterioration of housing properties.
2028	Family Housing Interior & Exterior Modernization	\$ 18,759.00	
2028	Washington Square - Windows Replacement	\$ 324,788.00	Begin the phased replacement of windows at Washington Square. Work includes bidding, procurement, and installation of new windows.
2028	High Rise Bathroom Modernization	\$ 80,000.00	Modernize resident bathrooms in the High Rise building, including replacement of fixtures, finishes, and any upgrades as needed.
2028	High Rise Common Area Flooring Replacement	\$ 100,000.00	Replace common area flooring at Lincoln Square, Chuckanut Square, and Washington Square to improve safety, durability, and aesthetics.

2028	Chuckanut Square - Roof Replacement	\$ 600,000.00	Bid, procure, and contract for the replacement of the roof at Chuckanut Square, including all necessary demolition, materials, labor, and related construction activities.
		<b>\$ 1,307,252.00</b>	
<b>2029</b>			
2029	Family Housing Admin	\$ 20,000.00	BHA may budget and expend up to 10% of its annual Capital Fund grant for administrative costs, including staff salaries, project management, and other eligible administrative expenses.
2029	High Rise Admin	\$ 80,000.00	
2029	Family Housing A&E	\$ 5,000.00	Program is utilized for architectural and engineering services associated with capital improvements such as siding, exterior patios, windows, and other building envelope or site-related upgrades.
2029	High Rise A&E	\$ 25,000.00	
2029	High Rise Interior & Exterior Modernization	\$ 151,000.00	Unforeseen capital needs and emergency repairs necessary to protect the health, safety, and security of residents, or to prevent further deterioration of housing properties.
2029	Family Housing Interior & Exterior Modernization	\$ 15,493.00	
2029	Chuckanut Square - Roof Replacement Completion	\$ 108,759.00	Finalize roof replacement at Chuckanut Square, including all necessary materials, installation, and related repairs.
2029	Washington Square - Windows Replacement	\$ 902,000.00	Continue the phased replacement of windows at Washington Square.
		<b>\$ 1,307,252.00</b>	



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## **MEMORANDUM**

**TO:** Board of Commissioners

**FROM:** Kate Donnelly, Chief Operating Officer

**DATE:** September 16, 2025

**SUBJECT:** Resolution 2824 – BHA Public Housing Utility Allowance and Flat Rent Schedule

---

### **BACKGROUND**

Public Housing Authorities (PHAs) are responsible for establishing allowances for utilities purchased directly by residents from utility providers and review them annually. These allowances represent amounts the PHA determines necessary to cover the resident's reasonable utility costs and are fixed dollar amounts that are deducted from a residents' monthly rent.

HUD also requires PHAs to allow families residing in public housing a choice of rent annually. The choice is based on either the family's income or is a "flat rent" amount between 80-100% of the fair market rents for the PHA's jurisdiction as determined by HUD.

Each year BHA solicits a third-party utility allowance update that reflects utility rate changes, considering any applicable property modernization that occurred over the year. The Nelrod Company, an industry leader in performing utility allowance surveys for public housing authorities, performed this year's update. Nelrod uses a mix of consumption-based data, as well as an engineering approach that factors in specific unit features such as unit size, structure type and equipment.

### **SUMMARY**

Staff has reviewed the proposed utility rates, paying special attention to any allowance that increased or decreased 10% or more over the 2025 schedule. Generally, electric, gas, garbage and water/sewer rates increased between 3% - 33%, resulting in a \$17-41 per month increase to the tenant's utility allowance, depending on their property and unit of residence.

The flat rent schedule is proposed using 80% of the fair market rent.

The proposed schedule was submitted to the public for comment August 5, 2025 – September 5, 2025.

We recommend approval of Resolution 2824 approving the FY 2026 BHA Public Housing Utility Allowance and Flat Rent Schedule that will be effective January 1, 2026.

RESOLUTION 2824

The following resolution was brought before the Board of Commissioners for consideration:

FY 2026 PUBLIC HOUSING UTILITY ALLOWANCES AND FLAT RENT SCHEDULE

WHEREAS, public housing authorities (PHA) must establish allowances for utilities purchased directly by the resident from a utility supplier; and

WHEREAS, 24 CFR 965.5050 requires review of the utility allowances at least annually; and

WHEREAS, The Nelrod Company, a third-party utility allowance survey contractor, completed the update attached in Exhibit A; and

WHEREAS, the proposed study was posted as required to notify residents of the anticipated increases in conformance with HUD requirements; and

WHEREAS, the Public Housing flat rent schedule has been updated to reflect the new utility allowance schedule and current HUD Fair Market Rent; and

WHEREAS, this new utility allowance schedule will begin on January 1, 2026; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Housing Authority of the City of Bellingham that the Public Housing utility allowance and flat rent schedule, are hereby approved, attached hereto and made a part hereof.

DATED this 16th day of September, 2025.

Commissioner \_\_\_\_\_ moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by Commissioner \_\_\_\_\_, and upon roll call, the "ayes", and "nays" were as follows:

AYES

NAYS

The Chair thereupon declared the motion carried and the resolution adopted.

BY: \_\_\_\_\_  
Stephen Gockley, Chair

ATTEST: BY:

\_\_\_\_\_  
Andrew Calkins, Secretary/Treasurer

EXHIBIT A

BOARD OF COMMISSIONERS MEETING OF SEPTEMBER 16, 2025

FY 2026 PUBLIC HOUSING UTILITY ALLOWANCE AND FLAT RENT SCEHDULE

Resolution 2824, Exhibit A includes the following documents:

- The Nelrod Company's proposed monthly utility allowances
- The Nelrod Company's comparison of previous and current utility rates
- BHA's 2026 Public Housing utility allowance and flat rent schedule
- BHA's 2025 vs. 2026 utility allowance and flat rent comparison



**BELLINGHAM/WHATCOM COUNTY HOUSING AUTHORITIES, WA  
CITY OF BELLINGHAM**

**PUBLIC HOUSING**

**PROPOSED MONTHLY UTILITY ALLOWANCES**

**Chart 1**

**UPDATE 2025**

**Building Type: Semi-Detached/Duplex**

<b>Falls Park Homes, Parkway Homes (EE Equip:Win-V,Ins)</b>	0BR	1BR	2BR	3BR	4BR	5BR
Electricity (L&A,C)			\$69.00	\$78.00		
Natural Gas (H,WH)			\$30.00	\$31.00		
<b>Totals</b>			<b>\$99.00</b>	<b>\$109.00</b>		

**Building Type: Semi-Detached/Duplex**

<b>Hillside Homes (All Electric) (EE Equip:Win,Ins)</b>	0BR	1BR	2BR	3BR	4BR	5BR
Electricity (L&A,H,WH,C)			\$171.00	\$188.00		

**Building Type: Detached House**

<b>Hillside Homes (All Electric) (EE Equip:Win,Ins)</b>	0BR	1BR	2BR	3BR	4BR	5BR
Electricity (L&A,H,WH,C)			\$228.00	\$254.00		

**Building Type: Semi-Detached/Duplex**

<b>Texas Meadows (All Electric) (EE Equip: Win-V,Ins)</b>	0BR	1BR	2BR	3BR	4BR	5BR
Electricity (L&A,H,WH,C)			\$200.00	\$221.00		

**Building Type: Semi-Detached/Duplex**

<b>Trailside Homes (All Electric) (EE Equip: Ins)</b>	0BR	1BR	2BR	3BR	4BR	5BR
Electricity (L&A,H,WH,C)			\$158.00	\$194.00		

A monthly average cost of the summer and winter adjustments were used for the electric and natural gas costs where applicable.

L&A= Lights & Appliances  
H= Space Heating  
WH= Water Heating  
C= Cooking

EE Equip= Energy Efficient Equipment  
Win= Windows  
Ins= Insulation

**Note: Public Housing utility allowances are calculated similar to the method used by each utility provider. These allowances are not calculated by end use (like Section 8 HCV), but by total usage for each utility type. Utility providers' monthly charges are included in the calculations.**

**BELLINGHAM/WHATCOM COUNTY HOUSING AUTHORITIES, WA**  
**CITY OF BELLINGHAM**  
**PUBLIC HOUSING**

**COMPARISON OF CURRENT AND PROPOSED UTILITY ALLOWANCES**

Chart 3

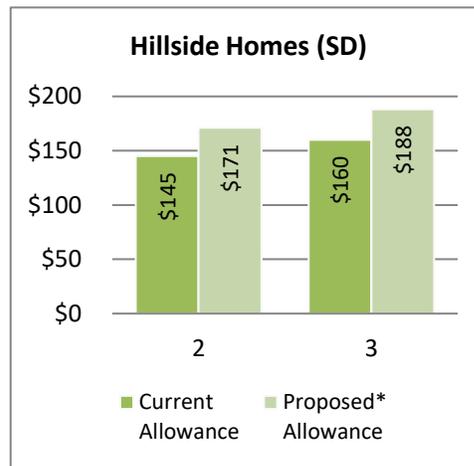
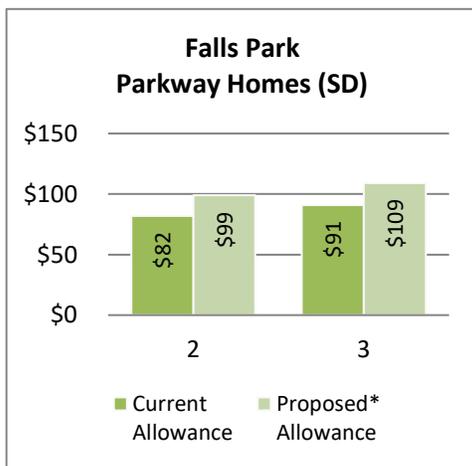
UPDATE 2025

Development	Bedroom Size	Current Allowance	Proposed* Allowance	Difference**
<b>Falls Park Homes, Parkway Homes</b>	2	\$82.00	<b>\$99.00</b>	<b>\$17.00</b>
	3	\$91.00	<b>\$109.00</b>	<b>\$18.00</b>
<b>Hillside Homes (All Electric) (Semi-Detached)</b>	2	\$145.00	<b>\$171.00</b>	<b>\$26.00</b>
	3	\$160.00	<b>\$188.00</b>	<b>\$28.00</b>
<b>Hillside Homes (All Electric) (Detached House)</b>	2	\$194.00	<b>\$228.00</b>	<b>\$34.00</b>
	3	\$216.00	<b>\$254.00</b>	<b>\$38.00</b>
<b>Texas Meadows (All Electric)</b>	2	\$170.00	<b>\$200.00</b>	<b>\$30.00</b>
	3	\$188.00	<b>\$221.00</b>	<b>\$33.00</b>
<b>Trailside Homes (All Electric)</b>	2	\$134.00	<b>\$158.00</b>	<b>\$24.00</b>
	3	\$165.00	<b>\$194.00</b>	<b>\$29.00</b>

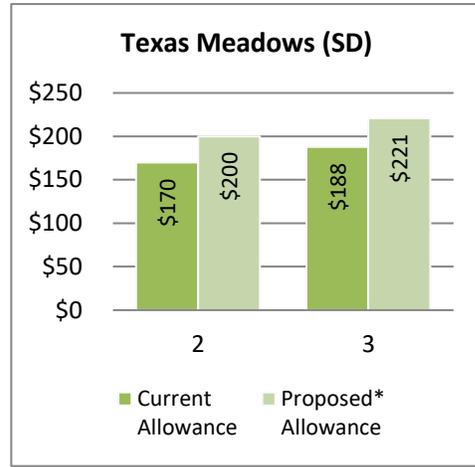
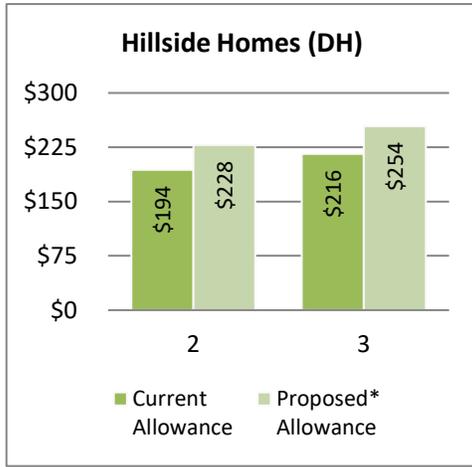
Proposed allowances include the average for electric and natural gas summer and winter months.

\*Proposed allowances were rounded to the nearest dollar.

\*\*After rounding.



**BELLINGHAM/WHATCOM COUNTY HOUSING AUTHORITIES, WA**  
**CITY OF BELLINGHAM**  
**PUBLIC HOUSING**



SITE	UNIT SIZE	UNIT	2026 UA	2026 FMR	80% of FMR	Flat Rent with UA adjustment	
PH	2-bdrm	1800B 1802A/B 1804A/B 1806A/B 1810A/B 1812A/B 1814A 1816A/B 1820A/B 1822A/B	\$99	\$1,794	\$1,435	\$1,336	
	3-bdrm	1800A 1808A/B 1814B 1824A/B	\$109	\$2,495	\$1,996	\$1,887	
FP	2-bdrm	3603A/B 3605B 3607B 3609A/B 3611B 3613B 3615A/B 3617B 3619A/B 3621A/B 3623A/B 3625A 3627A/B 3629A	\$99	\$1,794	\$1,435	\$1,336	
	3-bdrm	3605A 3607A 3611A 3613A 3617A 3625B 3629B	\$109	\$2,495	\$1,996	\$1,887	
TM	2-bdrm	1602A/B 1606A/B 1610A/B 1612A/B 1614A/B 1616A/B 1618A/B 1620A/B 1622A/B 1628A/B	\$200	\$1,794	\$1,435	\$1,235	
	3-bdrm	1600A/B 1604A/B 1624B 1626A/B	\$221	\$2,495	\$1,996	\$1,775	
HH	2-bdrm	2140 2144 2150 2154 2156 2164 2168 2172 2176 2178 2182 2188	\$171	\$1,794	\$1,435	\$1,264	
	3-bdrm	2142 2146 2148 2152 2158 2162 2166 2170 2174 2180 2184 2186	\$188	\$2,495	\$1,996	\$1,808	
TS	2-bdrm	2620 2628	\$158	\$1,794	\$1,435	\$1,277	
	3-bdrm	2622 2626	\$194	\$2,495	\$1,996	\$1,802	
BIR	2-bdrm	102A/B 104A/B 107A/B 110A/B 113A/B	\$319	\$1,794	\$1,435	\$1,116	
	3-bdrm	101A/B 103A/B 105A/B 108A/B 114A/B 115A/B 116A/B	\$357	\$2,495	\$1,996	\$1,639	
	4-bdrm	106A/B 109A/B	\$408	\$3,010	\$2,408	\$2,000	
	4-bdrm House	111 112	\$358	\$3,010	\$2,408	\$2,050	
BC	3-bdrm	4660 4661 4662 4663 4664 4665 4667 4669 4671 4673 4675 4676 4678 4679 4680 4681	\$168	\$2,495	\$1,996	\$1,828	
	4-bdrm	4670	\$178	\$3,010	\$2,408	\$2,230	
BT	3-bdrm	732 744 748	\$194	\$2,495	\$1,996	\$1,802	
SM	3-bdrm	1111 1117 1123 1129 1135 1141 1147 1153 1159 1165 1171 1177	\$200	\$2,495	\$1,996	\$1,796	
LS	0-bdrm	Tenants do not pay utilities at LS, WS, CS			\$1,463	\$1,170	\$1,170
WS	1-bdrm			\$1,493	\$1,194	\$1,194	
CS	2-bdrm			\$1,794	\$1,435	\$1,435	

2025 vs. 2026 Rate Comparison

SITE	UNIT SIZE	UNIT	2025 UA	2026 UA	\$ Change
PH	2-bdrm	1800B 1802A/B 1804A/B 1806A/B 1810A/B 1812A/B 1814A 1816A/B 1820A/B 1822A/B	\$82	\$99	\$17
	3-bdrm	1800A 1808A/B 1814B 1824A/B	\$91	\$109	\$18
FP	2-bdrm	3603A/B 3605B 3607B 3609A/B 3611B 3613B 3615A/B 3617B 3619A/B 3621A/B 3623A/B 3625A 3627A/B 3629A	\$82	\$99	\$17
	3-bdrm	3605A 3607A 3611A 3613A 3617A 3625B 3629B	\$91	\$109	\$18
TM	2-bdrm	1602A/B 1606A/B 1610A/B 1612A/B 1614A/B 1616A/B 1618A/B 1620A/B 1622A/B 1628A/B	\$170	\$200	\$30
	3-bdrm	1600A/B 1604A/B 1624B 1626A/B	\$180	\$221	\$41
HH	2-bdrm	2140 2144 2150 2154 2156 2164 2168 2172 2176 2178 2182 2188	\$145	\$171	\$26
	3-bdrm	2142 2146 2148 2152 2158 2162 2166 2170 2174 2180 2184 2186	\$160	\$188	\$28
TS	2-bdrm	2620 2628	\$134	\$158	\$24
	3-bdrm	2622 2626	\$165	\$194	\$29
BIR	2-bdrm	102A/B 104A/B 107A/B 110A/B 113A/B	\$294	\$319	\$25
	3-bdrm	101A/B 103A/B 105A/B 108A/B 114A/B 115A/B 116A/B	\$329	\$357	\$28
	4-bdrm	106A/B 109A/B	\$377	\$408	\$31
	4-bdrm House	111 112	\$327	\$358	\$31
BC	3-bdrm	4660 4661 4662 4663 4664 4665 4667 4669 4671 4673 4675 4676 4678 4679 4680 4681	\$148	\$168	\$20
	4-bdrm	4670	\$158	\$178	\$20
BT	3-bdrm	732 744 748	\$165	\$194	\$29
SM	3-bdrm	1111 1117 1123 1129 1135 1141 1147 1153 1159 1165 1171 1177	\$165	\$200	\$35



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Bellingham, WA 98225

P.O. Box 9701  
Bellingham, WA 98227

## **MEMORANDUM**

**TO:** Board of Commissioners  
**FROM:** Steve Grichel, Housing Programs Manager  
**DATE:** September 16, 2025  
**SUBJECT:** Resolution 2825 – 2026 BHA Housing Choice Voucher Utility Allowance Schedule

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### **BACKGROUND**

Public Housing Authorities (PHA) must maintain a utility allowance schedule for (1) all tenant-paid utilities, (2) the cost of tenant-supplied refrigerators and ranges, and (3) other tenant-paid housing services such as trash collection. The utility allowance schedule is determined based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same locality.

Each year BHA solicits a third-party utility allowance update that reflects utility rate changes for the upcoming year. The Nelrod Company, an industry leader in performing utility allowance surveys for public housing authorities, performed this year's update. Nelrod uses consumption-based data to develop this schedule.

### **SUMMARY**

Staff has reviewed the proposed utility rates, paying special attention to any allowance that increased or decreased 10% or more over the 2025 schedule. Generally, electric, natural gas, garbage and water/sewer rates increased between 0% - 33%.

The proposed schedule was submitted to the public for comment August 5, 2025 – September 5, 2025.

We recommend approval of Resolution 2825 approving the FY 2026 BHA Housing Choice Voucher Utility Allowance Schedule that will be effective January 1, 2026.

RESOLUTION 2825

The following resolution was brought before the Board of Commissioners for consideration:

APPROVE FY 2026 HOUSING CHOICE VOUCHER UTILITY ALLOWANCE SCHEDULE

WHEREAS, Department of Housing and Urban Development (HUD) regulations require review of utility allowances on a regular basis; and

WHEREAS, 24 CFR 982.517 requires review of the utility allowances at least annually; and

WHEREAS, The Nelrod Company, a third-party utility allowance survey contractor, completed the update attached in Exhibit A; and

WHEREAS, this new utility allowance schedule will begin on January 1, 2026; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Housing Authority of the City of Bellingham, that the Housing Choice Voucher Utility Allowance Schedule, is hereby approved and made a part hereof.

DATED this 16th day of September 2025.

Commissioner \_\_\_\_\_ moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by Commissioner \_\_\_\_\_, and upon roll call, the "ayes", and "nays" were as follows:

AYES

NAYS

The Chair thereupon declared the motion carried and the resolution adopted.

BY: \_\_\_\_\_  
Stephen Gockley, Chair

ATTEST: BY:

\_\_\_\_\_  
Andrew Calkins, Secretary/Treasurer

EXHIBIT A

BOARD OF COMMISSIONERS MEETING OF SEPTEMBER 16, 2025

FY 2026 HOUSING CHOICE VOUCHER UTILITY ALLOWANCE SCHEDULE

Resolution 2825, Exhibit A includes the following documents:

- The Nelrod Company's comparison of previous and current utility rates
- The Nelrod Company's proposed utility allowance schedule

## **COMPARISON OF PREVIOUS AND CURRENT UTILITY RATES**

# Comparison of Previous and Current Utility Rates

## SECTION 8 HCV PROGRAM

### BELLINGHAM-WHATCOM COUNTY HOUSING AUTHORITIES, WA

**NOTE: Rates in bold print indicate changes and gray print indicates removal.**

(We use the absolute value of the changes which gives us the percentage of change. This is the best way to determine a 10% change in utility rates and charges.)

#### ELECTRICITY

**UPDATE 2025**

<b>Puget Sound Energy (Sch 7)</b>		Rates		Difference	
Description	Measure	5/2024	5/2025	Amount	Percent
Basic Charge	per month	\$7.49	\$7.49	\$0.00	0%
Tier-1 Total Energy Charges (0-600)	per kwh	0.127333	<b>0.152653</b>	0.025320	20%
Tier-2 Total Energy Charges (over 600)	per kwh	0.146750	<b>0.172070</b>	0.025320	18%
Public Utility Tax	% of total	3.8734%	3.8734%	0.00	0%

<b>City of Blaine (13.16)</b>		Rates		Difference	
Description	Measure	5/2024	5/2025	Amount	Percent
Base Rate	per month	\$7.27	<b>\$7.63</b>	\$0.36	5%
Consumption Rates	per kwh	0.081552	<b>0.085629</b>	0.004077	5%
Public Utility Tax	% of total	3.8734%	3.8734%	0.00	0%

<b>City of Sumas (1796)</b>		Rates		Difference	
Description	Measure	5/2024	5/2025	Amount	Percent
Monthly Basic Charge	per month	\$5.50	\$5.50	\$0.00	0%
Consumption Rates	per ccf	0.0848	0.0848	0.0000	0%
Public Utility Tax	% of total	3.8734%	3.8734%	0.00	0%

#### NATURAL GAS

<b>Cascade Natural Gas (Schedule 503)</b>		Rates		Difference	
Description	Measure	5/2024	5/2025	Amount	Percent
Basic Service Charge	per month	\$5.00	<b>\$5.50</b>	\$0.50	10%
Total Energy Charges	per therm	0.40300	<b>0.53345</b>	0.13045	33%
Municipal Taxes	% of total	6.383%	6.383%	0.00	0%

#### BOTTLE GAS/PROPANE

<b>Northwest Propane</b>		Rates		Difference	
Description	Measure	5/2024	5/2025	Amount	Percent
Fuel Rate	per gallon	\$2.40	<b>\$2.53</b>	\$0.13	6%
Sales Tax	% of total	8.8%	8.8%	0.00	0%

<b>Vanderyacht Propane</b>		Rates		Difference	
Description	Measure	5/2024	5/2025	Amount	Percent
Fuel Rate	per gallon	\$2.71	<b>\$3.01</b>	\$0.30	12%
Sales Tax	% of total	8.8%	8.8%	0.00	0%

## Comparison of Previous and Current Utility Rates

### SECTION 8 HCV PROGRAM

<b>Average Fuel Rate</b>	per gallon	\$2.56	<b>\$2.77</b>	\$0.22	<b>9%</b>
<b>Sales Tax</b>	% of total	8.8%	8.8%	0.00	<b>0%</b>

#### FUEL OIL

<b>Coleman Oil</b>	Measure	Rates		Difference	
		5/2024	5/2025	Amount	Percent
Description					
Fuel Rate	per gallon	\$3.35	<b>\$3.92</b>	\$0.57	<b>18%</b>
Sales Tax	% of total	8.8%	8.8%	0.00	<b>0%</b>

<b>Christensen Inc Yorkston Oil</b>	Measure	Rates		Difference	
		5/2024	5/2025	Amount	Percent
Description					
Fuel Rate	per gallon	\$4.55	<b>\$4.98</b>	\$0.43	<b>10%</b>
Sales Tax	% of total	8.8%	8.8%	0.00	<b>0%</b>

<b>Average Fuel Oil Rate</b>	per gallon	\$3.95	<b>\$4.45</b>	\$0.50	<b>13%</b>
<b>Sales Tax</b>	% of total	8.8%	8.8%	0.00	<b>0%</b>

#### WATER, SEWER & TRASH COLLECTION

<b>City of Bellingham (Multi-Family)</b>	Measure	Rates		Difference	
		5/2024	5/2025	Amount	Percent
Description - <b>Water</b>					
Water Base Rate	per month	\$40.35	<b>\$41.60</b>	\$1.25	<b>4%</b>
Consumption Rate	per ccf	\$2.56	<b>\$2.63</b>	\$0.07	<b>3%</b>
Public Utility Tax	% of total	5.029%	5.029%	0.00	<b>0%</b>
Description - <b>Sewer</b>					
Total Monthly Charges (0-8)	per month	\$68.28	<b>\$70.03</b>	\$1.75	<b>3%</b>
Sewer Rate (over 8)	per ccf	\$7.92	<b>\$8.16</b>	\$0.24	<b>4%</b>
Public Utility Tax	% of total	3.852%	3.852%	0.00	<b>0%</b>

<b>City of Bellingham (Single Family)</b>	Measure	Rates		Difference	
		5/2024	5/2025	Amount	Percent
Description - <b>Water</b>					
Water Base Rate	per month	\$28.07	<b>\$28.94</b>	\$0.87	<b>4%</b>
Consumption Rate	per ccf	\$2.52	<b>\$2.59</b>	\$0.07	<b>3%</b>
Public Utility Tax	% of total	5.029%	5.029%	0.00	<b>0%</b>
Description - <b>Sewer</b>					
Total Monthly Charges	per month	\$68.28	<b>\$70.03</b>	\$1.75	<b>3%</b>
Public Utility Tax	% of total	3.852%	3.852%	0.00	<b>0%</b>

<b>Birch Bay Water &amp; Sewer District</b>	Measure	Rates		Difference	
		5/2024	5/2025	Amount	Percent
Description - <b>Water</b>					
Water Minimum Charge (0-2)	per month	\$12.90	<b>\$14.95</b>	\$2.05	<b>16%</b>
Tier-1 Water Usage Charge (2.01-10)	per ccf	\$3.70	<b>\$4.20</b>	\$0.50	<b>14%</b>
Tier-2 Water Usage Charge (over 10)	per ccf	\$7.05	<b>\$8.00</b>	\$0.95	<b>14%</b>
Public Utility Tax	% of total	5.029%	5.029%	0.00	<b>0%</b>

*Continue...*

## Comparison of Previous and Current Utility Rates

### SECTION 8 HCV PROGRAM

*Birch Bay Water & Sewer District continued...*

Description - <b>Sewer</b>	Measure	5/2024	5/2025	Amount	Percent
Sewer Minimum Charge (0-2)	per month	\$23.80	<b>\$27.30</b>	\$3.50	<b>15%</b>
Sewer Usage Charge (2.01-10 max)	per ccf	\$3.15	<b>\$3.60</b>	\$0.45	<b>15%</b>
Public Utility Tax	% of total	3.852%	3.852%	0.00	<b>0%</b>

<b>City of Blaine</b>		Rates		Difference	
Description - <b>Water</b>	Measure	5/2024	5/2025	Amount	Percent
Water Base Rate (0-3)	per month	\$20.11	<b>\$23.62</b>	\$3.51	<b>18%</b>
Tier-1 Water Consumption Rate (3.01-8)	per ccf	\$3.06	<b>\$3.59</b>	\$0.53	<b>18%</b>
Tier-2 Water Consumption Rate (over 8)	per ccf	\$4.25	<b>\$4.99</b>	\$0.74	<b>18%</b>
Public Utility Tax	% of total	5.029%	5.029%	0.00	<b>0%</b>
Description - <b>Sewer</b>	Measure	5/2024	5/2025	Amount	Percent
Total Monthly Charges	per month	\$137.48	<b>\$146.63</b>	\$9.15	<b>7%</b>
Public Utility Tax	% of total	3.852%	3.852%	0.00	<b>0%</b>

<b>City of Everson</b>		Rates		Difference	
Description - <b>Water</b>	Measure	5/2024	5/2025	Amount	Percent
Water Base Charge (0-3)	per month	\$19.12	<b>\$19.69</b>	\$0.57	<b>3%</b>
Water Usage Charge (over 3)	per ccf	\$2.62	\$2.62	\$0.00	<b>0%</b>
Utility Tax	% of total	6%	6%	0.00	<b>0%</b>
Description - <b>Sewer</b>	Measure	5/2024	5/2025	Amount	Percent
Sewer Base Rate (0-6)	per month	\$80.00	\$80.00	\$0.00	<b>0%</b>
Sewer Rate (over 6)	per ccf	\$2.00	\$2.00	\$0.00	<b>0%</b>
Utility Tax	% of total	6%	6%	0.00	<b>0%</b>

<b>City of Ferndale (MF/SF)</b>		Rates		Difference	
Description - <b>Water</b>	Measure	5/2024	5/2025	Amount	Percent
Water Base Chg (\$27.29 bi-monthly)	per month	\$13.19	<b>\$13.65</b>	\$0.46	<b>4%</b>
Tier-1 Water Consumption (0 - 5)	per ccf	\$5.79	<b>\$5.99</b>	\$0.20	<b>4%</b>
Tier-2 Water Consumption (5.01-7.5)	per ccf	\$6.38	<b>\$6.60</b>	\$0.22	<b>4%</b>
Tier-3 Water Consumption (7.51-15)	per ccf	\$7.55	<b>\$7.81</b>	\$0.26	<b>4%</b>
Tier-4 Water Consumption (over 15)	per ccf	\$8.90	<b>\$9.21</b>	\$0.31	<b>4%</b>
Description - <b>Sewer (Multi-Family)</b>	Measure	5/2024	5/2025	Amount	Percent
Total Monthly Charges	per month	\$44.70	<b>\$47.76</b>	\$3.06	<b>7%</b>
Sewer Consumption	per ccf	\$11.70	\$11.70	\$0.00	<b>0%</b>
Description - <b>Sewer (Single-Family)</b>	Measure	5/2024	5/2025	Amount	Percent
Total Monthly Charges	per month	\$42.96	<b>\$46.02</b>	\$3.06	<b>8%</b>
Sewer Consumption	per ccf	\$10.91	\$10.91	\$0.00	<b>0%</b>

## Comparison of Previous and Current Utility Rates

### SECTION 8 HCV PROGRAM

<b>Lake Whatcom Water &amp; Sewer District</b>		Rates		Difference	
Description - <b>Water</b>	Measure	5/2024	5/2025	Amount	Percent
Water Service Charge (\$90.69 bi-monthly) (0-3)	per month	\$43.40	<b>\$45.35</b>	\$1.95	5%
Tier-1 Water Usage Chg (3.01-12.5)	per ccf	\$12.31	<b>\$12.86</b>	\$0.55	5%
Tier-2 Water Usage Chg (over 12.5)	per ccf	\$15.40	<b>\$16.10</b>	\$0.70	5%
Public Utility Tax	% of total	5.029%	5.029%	0.00	0%
Description - <b>Sewer</b>	Measure	5/2024	5/2025	Amount	Percent
Sewer Service Charge (\$198.90 bi-monthly)	per month	\$95.86	<b>\$99.45</b>	\$3.59	4%
Public Utility Tax	% of total	3.852%	3.852%	0.00	0%

<b>City of Lynden (Multi-Family)</b>		Rates		Difference	
Description - <b>Water</b>	Measure	5/2024	5/2025	Amount	Percent
Water Basic Charge	per month	\$34.08	<b>\$39.02</b>	\$4.94	15%
Water Volume Charge	per ccf	\$2.09	<b>\$2.40</b>	\$0.31	15%
Total Taxes	% of total	8.5%	8.5%	0.00	0%

<b>City of Lynden (Single Family)</b>		Rates		Difference	
Description - <b>Water</b>	Measure	5/2024	5/2025	Amount	Percent
Water Basic Charge	per month	\$34.08	<b>\$39.02</b>	\$4.94	15%
Tier-1 Water Volume Charge (0-5)	per ccf	\$1.68	<b>\$1.93</b>	\$0.25	15%
Tier-2 Water Volume Charge (5.01-18)	per ccf	\$2.21	<b>\$2.53</b>	\$0.32	15%
Total Taxes	% of total	8.5%	8.5%	0.00	0%

<b>City of Lynden (MF/SF)</b>		Rates		Difference	
Description - <b>Sewer (MF/SF)</b>	Measure	5/2024	5/2025	Amount	Percent
Total Monthly Charges	per month	\$64.71	<b>\$74.08</b>	\$9.37	15%
Public Utility Tax	% of total	3.852%	3.852%	0.00	0%

<b>City of Nooksack</b>		Rates		Difference	
Description - <b>Water</b>	Measure	5/2024	5/2025	Amount	Percent
Water Basic Rate (0-7500)	per month	\$34.08	\$34.08	\$0.00	0%
<b>Water Rate (over 7500)</b>	per 1000 gals		<b>\$3.88</b>		Added
<b>Public Utility Tax</b>	% of total		<b>6%</b>		Added
Description - <b>Sewer</b>	Measure	5/2024	5/2025	Amount	Percent
Sewer Rate	per month	\$58.88	\$58.88	\$0.00	0%
<b>Public Utility Tax</b>	% of total		<b>6%</b>		Added

*Tiers were restructured.*

<b>Nooksack Valley Disposal &amp; Recycling</b>		Rates		Difference	
Description - <b>Trash Collection</b>	Measure	5/2024	5/2025	Amount	Percent
Total Monthly Charges	per month	\$14.90	\$14.90	\$0.00	0%
Total Taxes	% of total	17.4%	17.4%	0.00	0%

<b>Sanitary Service</b>		Rates		Difference	
Description - <b>Trash Collection</b>	Measure	5/2024	5/2025	Amount	Percent

## Comparison of Previous and Current Utility Rates

### SECTION 8 HCV PROGRAM

Trash Collection Charge	per month	\$56.63	<b>\$58.16</b>	\$1.53	3%
Public Utility Tax	% of total	3.6%	3.6%	0.00	0%

## Comparison of Previous and Current Utility Rates

### SECTION 8 HCV PROGRAM

<b>City of Sumas</b>		Rates		Difference	
Description - <b>Water</b>	Measure	<b>5/2024</b>	<b>5/2025</b>	Amount	Percent
Water Base Charge (0-6)	per month	\$10.40	\$10.40	\$0.00	<b>0%</b>
Water Rate (over 6)	per ccf	\$1.13	\$1.13	\$0.00	<b>0%</b>
Public Utility Tax	% of total	5.029%	5.029%	0.00	<b>0%</b>
Description - <b>Sewer</b>	Measure	<b>5/2024</b>	<b>5/2025</b>	Amount	Percent
Total Monthly Charges	per month	\$15.85	\$15.85	\$0.00	<b>0%</b>
Sewer Volume Surcharge	per ccf	\$6.368	\$6.368	\$0.000	<b>0%</b>
Public Utility Tax	% of total	3.852%	3.852%	0.00	<b>0%</b>

# Utility Allowance Schedule

See Public Reporting and Instructions on back.

**U.S. Department of Housing and Urban  
Development**

Office of Public and Indian Housing

OMB Approval No. 2577-0169

(exp. 04/30/2026)

The following allowances are used to determine the total cost of tenant-furnished utilities and appliances.

Locality/PHA <b>Bellingham-Whatcom County Housin Authorities, WA</b>		Unit Type: <b>Multi-Family (Apartment)</b>					Date (mm/dd/yyyy)	
Utility of Service	Fuel Type	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	
Heating	Natural Gas <i>(Includes Monthly Charge)</i>	\$15.00	\$16.00	\$19.00	\$20.00	\$22.00	\$24.00	
	Bottle Gas	\$67.00	\$78.00	\$95.00	\$106.00	\$120.00	\$131.00	
	Electric <i>(avg)</i>	\$16.00	\$19.00	\$25.00	\$31.00	\$38.00	\$44.00	
	Electric Heat Pump <i>(avg)</i>	\$14.00	\$16.00	\$19.00	\$22.00	\$24.00	\$27.00	
	Fuel Oil	\$82.00	\$99.00	\$112.00	\$129.00	\$142.00	\$159.00	
Cooking	Natural Gas	\$1.00	\$1.00	\$2.00	\$3.00	\$3.00	\$4.00	
	Bottle Gas	\$8.00	\$8.00	\$14.00	\$20.00	\$25.00	\$28.00	
	Electric <i>(avg)</i>	\$4.00	\$5.00	\$7.00	\$9.00	\$11.00	\$14.00	
Other Electric	<i>(avg)</i> <i>(Includes Monthly Charges)</i>	\$23.00	\$26.00	\$33.00	\$40.00	\$47.00	\$54.00	
Air Conditioning	<i>(avg)</i>	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	
Water Heating	Natural Gas	\$3.00	\$3.00	\$5.00	\$6.00	\$8.00	\$9.00	
	Bottle Gas	\$22.00	\$25.00	\$33.00	\$45.00	\$56.00	\$67.00	
	Electric <i>(avg)</i>	\$23.00	\$26.00	\$33.00	\$40.00	\$47.00	\$54.00	
	Fuel Oil	\$26.00	\$30.00	\$43.00	\$56.00	\$69.00	\$82.00	
Water		<b>See Attached Water, Sewer, &amp; Trash Collection Schedule</b>						
Sewer								
Trash Collection								
Range/Microwave		\$11.00	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00	
Refrigerator		\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	
<b>Actual Family Allowances</b> -May be used by the family to compute allowance while searching for a unit.					Utility/Service/Appliance	Allowance		
Head of Household Name					Heating			
Unit Address					Cooking			
					Other Electric			
					Air Conditioning			
Number of Bedrooms					Water Heating			
					Water			
					Sewer			
					Trash Collection			
					Other			
					Range/Microwave			
					Refrigerator			
					Total			



adapted from form HUD-52667

(04/2023)

# Utility Allowance Schedule

See Public Reporting and Instructions on back.

**U.S. Department of Housing and Urban  
Development**

Office of Public and Indian Housing

OMB Approval No. 2577-0169

(exp. 04/30/2026)

The following allowances are used to determine the total cost of tenant-furnished utilities and appliances.

Locality/PHA <b>Bellingham-Whatcom County Housin Authorities, WA</b>		Unit Type <b>Single-Family (Detached House)</b>					Date (mm/dd/yyyy)	
Utility of Service	Fuel Type	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	
Heating	Natural Gas <i>(Includes Monthly Charge)</i>	\$19.00	\$22.00	\$24.00	\$27.00	\$29.00	\$32.00	
	Bottle Gas	\$97.00	\$114.00	\$134.00	\$153.00	\$170.00	\$189.00	
	Electric <i>(avg)</i>	\$37.00	\$43.00	\$50.00	\$57.00	\$65.00	\$72.00	
	Electric Heat Pump <i>(avg)</i>	\$20.00	\$23.00	\$28.00	\$31.00	\$35.00	\$38.00	
	Fuel Oil	\$120.00	\$138.00	\$163.00	\$185.00	\$206.00	\$228.00	
Cooking	Natural Gas	\$1.00	\$1.00	\$2.00	\$3.00	\$3.00	\$4.00	
	Bottle Gas	\$8.00	\$8.00	\$14.00	\$20.00	\$25.00	\$28.00	
	Electric <i>(avg)</i>	\$4.00	\$5.00	\$7.00	\$9.00	\$11.00	\$14.00	
Other Electric	<i>(avg)</i> <i>(Includes Monthly Charges)</i>	\$30.00	\$34.00	\$45.00	\$55.00	\$66.00	\$77.00	
Air Conditioning	<i>(avg)</i>	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	
Water Heating	Natural Gas	\$3.00	\$4.00	\$6.00	\$8.00	\$10.00	\$12.00	
	Bottle Gas	\$25.00	\$31.00	\$42.00	\$56.00	\$70.00	\$81.00	
	Electric <i>(avg)</i>	\$30.00	\$34.00	\$45.00	\$55.00	\$66.00	\$77.00	
	Fuel Oil	\$30.00	\$34.00	\$52.00	\$69.00	\$86.00	\$99.00	
Water		<b>See Attached Water, Sewer &amp; Trash Collection Schedule</b>						
Sewer								
Trash Collection								
Range/Microwave		\$11.00	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00	
Refrigerator		\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	
<b>Actual Family Allowances</b> -May be used by the family to compute allowance while searching for a unit.					Utility/Service/Appliance	Allowance		
Head of Household Name					Heating			
					Cooking			
					Other Electric			
					Air Conditioning			
Unit Address					Water Heating			
					Water			
					Sewer			
					Trash Collection			
					Other			
Number of Bedrooms					Range / Microwave			
					Refrigerator			
					Total			



adapted from form HUD-52667

(04/2023)

**BELLINGHAM-WHATCOM COUNTY HOUSING AUTHORITIES, WA**  
**Water, Sewer and Trash Collection**  
**Section 8 HCV Utility Allowances**

**All Building Types**

		Monthly Dollar Allowances					
		0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
City of Bellingham	Water (MF)	\$55.00	\$56.00	\$61.00	\$67.00	\$72.00	\$77.00
	Water (SF)	\$42.00	\$43.00	\$48.00	\$53.00	\$59.00	\$64.00
	Sewer (MF)	\$40.00	\$40.00	\$40.00	\$48.00	\$65.00	\$81.00
	Sewer (SF)	\$71.00	\$71.00	\$71.00	\$71.00	\$71.00	\$71.00
Birch Bay Water & Sewer District	Water	\$24.00	\$25.00	\$33.00	\$41.00	\$52.00	\$67.00
	Sewer	\$34.00	\$35.00	\$41.00	\$48.00	\$51.00	\$51.00
City of Blaine	Water	\$27.00	\$28.00	\$34.00	\$42.00	\$51.00	\$60.00
	Sewer	\$143.00	\$143.00	\$143.00	\$143.00	\$143.00	\$143.00
City of Everson	Water	\$25.00	\$26.00	\$31.00	\$37.00	\$43.00	\$48.00
	Sewer	\$85.00	\$85.00	\$87.00	\$91.00	\$95.00	\$100.00
City of Ferndale	Water	\$41.00	\$42.00	\$55.00	\$70.00	\$85.00	\$100.00
	Sewer (MF)	\$101.00	\$103.00	\$127.00	\$150.00	\$174.00	\$197.00
	Sewer (SF)	\$95.00	\$98.00	\$120.00	\$141.00	\$163.00	\$185.00
Lake Whatcom Water & Sewer District	Water	\$69.00	\$72.00	\$98.00	\$123.00	\$149.00	\$177.00
	Sewer	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
City of Lynden	Water (MF)	\$48.00	\$48.00	\$53.00	\$57.00	\$62.00	\$67.00
	Water (SF)	\$46.00	\$46.00	\$51.00	\$56.00	\$61.00	\$65.00
	Sewer	\$67.00	\$67.00	\$67.00	\$67.00	\$67.00	\$67.00
City of Nooksack Nooksack Valley Disposal & Recycling	Water	\$34.00	\$34.00	\$34.00	\$34.00	\$34.00	\$34.00
	Sewer	\$59.00	\$59.00	\$59.00	\$59.00	\$59.00	\$59.00
	Trash	\$17.00	\$17.00	\$17.00	\$17.00	\$17.00	\$17.00
Sanitary Service	Trash	\$59.00	\$59.00	\$59.00	\$59.00	\$59.00	\$59.00
City of Sumas	Water	\$11.00	\$11.00	\$12.00	\$15.00	\$17.00	\$19.00
	Sewer	\$48.00	\$50.00	\$63.00	\$76.00	\$89.00	\$103.00



adapted from form HUD-52667  
(04/2023)



# Bellingham & Whatcom County Housing Authorities

333 N Samish Way  
Bellingham, WA 98225

P.O. Box 9701  
Bellingham, WA 98227

## MEMORANDUM

**TO:** Board of Commissioners

**FROM:** Steve Grichel, Housing Programs Manager

**DATE:** September 16, 2025

**SUBJECT:** Resolution 2826 – BHA Housing Choice Voucher 2026 Payment Standards

### BACKGROUND

The Housing Choice Voucher Program requires Public Housing Authorities (PHAs) to adopt payment standards based on the HUD-established Fair Market Rents (FMR) for the area. FMRs are an estimate of the 40th percentile gross rents for standard quality units, and payment standards are the maximum subsidy a PHA can pay on behalf of a family.

The Department of Housing and Urban Development (HUD) publishes Fair Market Rents (FMR) for units of various bedroom sizes. HUD authorizes PHA's to adopt program wide payment standards within 90% to 120% of the FMR.

### SUMMARY

After a review of the projected 2026 program utilization/spending, BHA recommends adopting a payment standard of 100% of the FMR. Based on an analysis of tenant rent burdens using HUD's Tool of Tools, this would lower the percentage of HCV participants paying greater than 31% of their adjusted income from 26.6% in 2025 to 10.6% in 2026.

Voucher Bedroom Size	Regular Total (360 PBVs)	Percent >31% rent burden:		Percent >31% rent burden:	
		CYE 2025 - Year 1		CYE 2026 - Year 2	
		% >= 41%	% >= 31%	% >= 41	% >= 31
Efficiency	3	0.0%	0.0%	0.0%	0.0%
1 Bedroom	855	6.2%	22.7%	2.3%	9.1%
2 Bedroom	290	9.7%	34.1%	3.4%	14.8%
3 Bedroom	175	8.6%	29.7%	1.1%	10.3%
4 Bedroom	42	4.8%	40.5%	0.0%	9.5%
5 Bedroom	7	14.3%	42.9%	14.3%	28.6%
6 Bedroom	1	0.0%	0.0%	0.0%	0.0%

These BHA payment standards will be universal and consistent for all voucher programs administered by the Housing Authority currently, or in the future, unless superseded or amended by a subsequent resolution.

We recommend approval of Resolution 2826 approving the FY 2026 BHA Housing Choice Voucher Payment Standards that will be effective January 1, 2026.

The following resolution was brought before the Board of Commissioners for consideration:

APPROVE FY 2026 PAYMENT STANDARDS FOR ALL APPLICABLE VOUCHER PROGRAMS

WHEREAS, at least annually the Department of Housing and Urban Development (HUD) publishes Fair Market Rents (FMR) for units of various bedroom sizes; and

WHEREAS, HUD regulations generally allow Housing Authorities to set payment standards between 90% and 110% of FMR without HUD approval; and

WHEREAS, an analysis of the housing market indicates that payment standards set at 100% of the 2026 HUD FMR for all bedroom sizes will improve access to affordable housing;

WHEREAS, a detailed review of financial projections indicates sufficient funding to maximize payment standards while continuing to increase program utilization;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Housing Authority of the City of Bellingham that the FY 2026 Housing Choice Voucher payment standards are hereby adopted in accordance with Exhibit A of this resolution, effective January 1, 2026.

DATED this 16th day of September, 2025.

Commissioner \_\_\_\_\_ moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by Commissioner \_\_\_\_\_, and upon roll call, the "ayes" and "nays" were as follows:

AYES

NAYS

The Chair thereupon declared the motion carried and the resolution adopted.

BY: \_\_\_\_\_  
Stephen Gockley, Chair

ATTEST:

\_\_\_\_\_  
Andrew Calkins, Secretary/Treasurer

EXHIBIT A

BOARD OF COMMISSIONERS MEETING OF SEPTEMBER 16, 2025

FY 2026 PAYMENT STANDARDS

The comparison of HUD 2026 FMRs, BHA's proposed payment standards, and current payment standards is as follows:

	Studio	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
2025 FMR	\$1,348	\$1,381	\$1,642	\$2,301	\$2,757
Current Payment Standard (100% of FMR)	\$1,348	\$1,381	\$1,642	\$2,301	\$2,757
2026 FMR	\$1,463	\$1,493	\$1,794	\$2,495	\$3,010
Proposed Payment Standard (100% of FMR)	\$1,463	\$1,493	\$1,794	\$2,495	\$3,010
Difference between 100% for 2026 & Current	\$115	\$112	\$152	\$194	\$253



**Bellingham &  
Whatcom County  
Housing Authorities**

333 N Samish Way  
Bellingham, WA 98225

P.O. Box 9701  
Bellingham, WA 98227

## **Memorandum**

**TO:** Board of Commissioners  
**FROM:** Lindsay Burmeister, HR Manager/Executive Services  
**DATE:** September 16, 2025  
**SUBJECT:** Resolution No. 2827 – Update to Personnel Manual

---

### **Summary:**

Resolution No. 2827 authorizes updates to the Housing Authority of the City of Bellingham (BHA) Personnel Manual. The revisions ensure that agency policies are more closely aligned with recent changes in state and federal law and simplify existing language where appropriate.

Some key updates include:

- Background check requirements
- Sexual harassment policy
- Meal and rest break provisions
- Leave policies (state and federal)
- Information technology and data security policy

These updates are intended to keep BHA policies compliant, clear, and reflective of current legal standards.

The Board of Commissioners is asked to approve Resolution No. 2827, thereby adopting the proposed Personnel Manual revisions as presented.

The following resolution was brought before the Board of Commissioners of the Housing Authority of the City of Bellingham (BHA) for consideration:

AUTHORIZE UPDATE OF THE HOUSING AUTHORITY OF THE CITY OF BELLINGHAM’S PERSONNEL MANUAL

WHEREAS, BHA periodically reviews the Personnel Manual to ensure that it reflects changes in language regarding policies contained therein; and

WHEREAS, there is a need to update language regarding background checks, sexual harassment, meal and rest breaks, and leave policies to align with changes in state and federal law; and

WHEREAS, there is a need to update the information technology and data security policy to align with current best practices;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Housing Authority of the City of Bellingham that the Personnel Manual is hereby updated in accordance with the attached updates.

DATED this 16th day of September, 2025.

Commissioner \_\_\_\_\_ moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by Commissioner \_\_\_\_\_, and upon roll call, the "ayes" and "nays" were as follows:

AYES

NAYS

The Chair thereupon declared the motion carried and the resolution adopted.

BY: \_\_\_\_\_  
Stephen Gockley, Chair

ATTEST:

\_\_\_\_\_  
Andrew Calkins, Secretary/Treasurer

# BELLINGHAM HOUSING AUTHORITY PERSONNEL MANUAL



Adopted by Resolution:	<b>1271</b>	01/21/95		
Revised by Resolutions:	<b>1326</b>	07/25/95	<b>2254</b>	03/24/09
	<b>1329</b>	08/15/95	<b>2275</b>	09/15/09
	<b>1455</b>	12/17/96	<b>2288</b>	12/15/09
	<b>1556</b>	03/31/98	<b>2301</b>	01/19/10
	<b>1665</b>	05/25/99	<b>2302</b>	02/16/10
	<b>1670</b>	06/22/99	<b>2309</b>	03/16/10
	<b>1672</b>	06/22/99	<b>2353</b>	02/15/11
	<b>1680</b>	08/17/99	<b>2387</b>	12/13/11
	<b>1727</b>	02/15/00	<b>2399</b>	02/21/12
	<b>1770</b>	09/26/00	<b>2429</b>	11/13/12
	<b>1786</b>	11/28/00	<b>2490</b>	02/18/14
	<b>1925</b>	10/15/02	<b>2532</b>	07/21/15
	<b>Motion</b>	11/19/02	<b>2579</b>	11/15/16
	<b>2016</b>	07/20/04	<b>2624</b>	02/13/18
	<b>2042</b>	01/18/05	<b>2635</b>	05/15/18
	<b>2072</b>	06/21/05	<b>2667</b>	02/19/19
	<b>2073</b>	07/19/05	<b>2681</b>	10/15/19
	<b>2093</b>	09/20/05	<b>2718</b>	12/15/20
	<b>2117</b>	02/21/06	<b>2754</b>	08/16/22
	<b>2133</b>	07/18/06	<b>2758</b>	09/20/22
	<b>2155</b>	12/12/06	<u>2826</u>	<u>9/16/2025</u>

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## I. INTRODUCTION

### A. ABOUT OUR POLICIES

**Purpose.** This Bellingham Housing Authority Personnel Manual (“Manual”) is not a contract and should not be construed as one. It contains general statements of our policies and guidelines for your information. It applies to all employees; to the extent it conflicts with any collective bargaining contract, the collective bargaining agreement controls. Bellingham Housing Authority (“BHA”) hopes you will find it useful. Please read it carefully and keep it handy for future reference.

This Manual supersedes all previous policies, agreements and representations, oral or written, on the subjects covered. However, it does not supersede the provisions of collective bargaining agreements, individual employment contracts signed by the Executive Director/CEO, BHA written resolutions, or state or federal law. In the event of conflict between any of these sources and this Manual, the terms and conditions of the labor contract, employment contract, resolution or law shall control. This means, among other things, that if you are a union-represented employee covered by a collective bargaining agreement, nothing in this Manual affects any of your rights under the collective bargaining agreement.

~~This Manual is an evolving document, which BHA expects to revise and update from time to time. BHA will keep all employees advised of changes in policies and procedures covered in this Manual. BHA policies and procedures, including the compensation and benefits BHA provides, are subject to changes and exceptions without advance notice, at BHA discretion. Nothing in this Manual or that is said or written any place else should be construed as a promise of permanent employment, of employment for any particular length of time, of discharge only for cause, or of a right to any particular discipline or discharge procedures, unless the promise is in a written employment agreement signed by the Executive Director/CEO. No one has the authority to enter into any agreement for employment for a specified period of time, or to make any other representations or agreement inconsistent with this policy, unless it is in writing and signed by the Executive Director/CEO.~~

### B. ABOUT BHA & WCHA

BHA is an independent, local government agency that provides affordable housing to a variety of income levels. An important ~~resource for the organization ingredient of this~~ comes ~~from through contracts with the~~ U.S. Department of Housing and Urban Development (“HUD”) to provide low-rent public housing and Housing Choice Voucher (formerly Section 8) housing assistance payments. ~~Other Over time, BHA has developed other programs have been developed with other funding and financing additional state and local financing sources available to BHA.~~

BHA also works alongside with Whatcom County Housing Authority, a separate legal entity. Together, the Bellingham & Whatcom County Housing Authorities (BWCHA) work

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| [to expand housing opportunities throughout the region.](#)

**C. MISSION STATEMENT**

Our mission is to offer opportunities for people to thrive by ensuring access to quality, affordable homes.

To achieve this mission, we will strive to:

- Recognize the residents as our ultimate customers.
- Develop problem-solving partnerships with the private sector, HUD, local governments and the community.
- Improve management and service delivery efforts through resource management, risk assessment, and implementation by trained, diagnostic, and results-oriented staff.
- Implement resident initiative programs that offer opportunities such as skill and educational training, the possibility of home ownership and substance abuse programs.

#### **D. VISION STATEMENT**

Our vision is that eEvery person has the opportunity to live in a safe, secure, affordable home.

#### **E. ORGANIZATIONAL CHART**

The Organizational Chart of the BHA sets forth the major areas of staff responsibility and authority. A copy is available for your review in-by contacting the Human Resources Department.

#### **F. AUTHORITY TO EFFECT PERSONNEL ACTIONS**

The authority to appoint the Executive Director/CEO is vested in the Board of Commissioners ("Board"). The Executive Director/CEO serves at the pleasure of the Board. The authority to hire, promote, demote, transfer, suspend and terminate all personnel is vested in the Executive Director/CEO or the Executive Director/CEO's designee.

#### **G. PERSONNEL MANUAL ADMINISTRATION**

The Executive Director/CEO shall be responsible for carrying out the provisions and purposes of this Manual. The Executive Director/CEO shall have the authority to effect personnel actions, formulate necessary programs, and make and enforce appropriate rules, regulations and procedures necessary to pursue the intent of the policy. The Executive Director/CEO may delegate the foregoing authority to members of the management staff.

A copy of the Manual will be distributed to all current employees and all new hires. Additional copies will be readily available to any employee at any time. Recommended

changes to the Manual must be made to the Executive

Director/CEO. Amendments ~~of~~ to this Manual may only be made by resolution of the BHA Board.

The Executive Director/CEO will make decisions regarding interpretation and application of policies contained in this Manual. A copy of any new policy, or amendment to or modification of existing policies shall be distributed to all employees.

## II. EQUAL EMPLOYMENT POLICIES

### A. EQUAL EMPLOYMENT

BHA is an equal opportunity employer. We do not discriminate in employment decisions or policies in violation of state, federal or local law on the basis of any legally protected status, including race, color, national origin, creed, religion, genetic information, sex, gender, sexual orientation, including gender expression and gender identity, age, marital status, honorably discharged veteran or military status, the presence of any sensory, physical or mental impairment, or political ideology. BHA's policy of non-discrimination applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, termination, reduction in force, recall, transfer, leaves of absence, and compensation. BHA complies with all applicable federal, state and local laws that prohibit discrimination in employment.

**DISABILITY ACCOMMODATION:** We are committed to complying fully with state and federal disability discrimination laws. This commitment extends not only to prohibiting discrimination against qualified applicants and employees with disabilities, but also to complying with reasonable accommodation obligations. We will make reasonable efforts to accommodate [qualified](#) individuals with disabilities (as that term is defined under applicable laws) if it does not cause an undue hardship or pose a direct threat to anyone. Please do not assume that we know of your disability or your need for an accommodation. Let your manager and Human Resources know if you need accommodation to be able to do your job; once on notice, we will engage in the interactive process with you to discuss your needs and our ability to accommodate them. We may request a statement from your healthcare provider containing sufficient facts or opinions to support your request. If you are unable to perform the essential functions of your job, even with reasonable accommodations, we will try to identify other jobs at BHA that may become available and for which you may be qualified. If at any time you believe that this policy has been violated, you must immediately notify your manager and Human Resources.

**RELIGIOUS ACCOMMODATION:** We are committed to complying fully with state and federal religious discrimination laws. We will make reasonable accommodation for the religious beliefs and practices of our employees if it does not cause an undue hardship. Please let your manager and Human Resources know if you need accommodation for your religious beliefs or practices; once on notice, we will engage in the interactive process with you to discuss your needs and our ability to accommodate them. If at any time you believe that this policy has been violated, you must immediately notify your manager and Human Resources.

**ACCOMMODATION FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING:** We are committed to complying fully with the state law protecting [victims of domestic violence, sexual assault, stalking or hate crimes-victims](#). We will not unlawfully discriminate or retaliate against an employee because of the employee's status as a victim of domestic violence, sexual assault, ~~or~~ [stalking, or hate crime, including those committed through online or digital means](#). We will also provide reasonable [leave and/or](#)

safety accommodations ~~to enhance workplace safety~~ for employees who are victims of domestic violence, sexual assault, ~~or~~ stalking, or hate crimes. Please let your manager and Human Resources know if you need a safety accommodation; once on notice, we will engage in the interactive process with you to discuss your needs and our ability to accommodate them. We will provide a reasonable accommodation so long as it does not impose an undue hardship. We may request certification for the need for a reasonable accommodation. We will maintain the confidentiality of any documents indicating that an employee is a victim of domestic violence, sexual assault, ~~or~~ stalking, or hate crimes, as required by law. We will also give the employee notice before any authorized disclosure. If at any time you believe that this policy has been violated, you must immediately notify your manager and Human Resources.

ACCOMMODATION FOR PREGNANT EMPLOYEES AND PREGNANCY-RELATED HEALTH CONDITIONS: We are committed to complying fully with state and federal pregnancy discrimination laws. We will also provide reasonable accommodations for pregnancy and pregnancy-related health conditions, including the need to express milk ~~health conditions related to pregnancy or the physical recovery from childbirth~~. Reasonable accommodations include but are not limited to more frequent ~~or~~ longer or more flexible break periods; more ~~frequent restroom~~ restroom ~~and~~ drinking food and ~~water~~ drink ~~policies~~ breaks; obtaining or modifying equipment, ~~devices, or seating~~ work station, or seating; lifting limitations; temporary transfer to a less-strenuous or less-hazardous position, if available; job restructuring; part-time or modified work schedules; light duty, if available; assistance with manual labor; ~~and modified work schedules~~ scheduling flexibility for prenatal visits; providing reasonable break time and a private location other than a bathroom for an employee to express breast milk for two years after the child's birth; and other pregnancy accommodations an employee may request. If the employee's work site does not have a space for the employee to express milk, BHA will work with the employee to identify a convenient location and work schedule to accommodate their needs. Please let your manager and Human Resources know if you need an accommodation; once on notice, we will engage in the interactive process with you to discuss your needs and our ability to accommodate them. Depending on the request, we may require a statement from your healthcare provider containing sufficient facts or opinions to support the accommodation. If at any time you believe that this policy has been violated, you must immediately notify your manager and Human Resources.

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## **B. AFFIRMATIVE ACTION EQUAL OPPORTUNITY**

As part of our commitment to Equal Employment Opportunity, we actively seek to increase the diversity of our job applicants and work force in accordance with state and federal law. To that end, BHA collects data regarding race and ethnic identification, sex, disability, and veteran status to comply with federal and state laws regarding applicant flow data. Disclosure of this information is strictly voluntary and an applicant or employee's failure to disclose this information will not impact hiring opportunities or other employment decisions. This data is treated as confidential, is kept separate from

applicant pre-employment files and from employee personnel files and is used for statistical purposes only. This data is made available only to persons with a need to know. Such persons may include individuals required to implement ~~an affirmative action~~ equal opportunity programs as authorized by law, to permit the compilation of statistics, and to permit verification of the statistics by top management of BHA or by the Washington State Human Rights Commission. ~~Persons who process applications for employment at BHA do not have access to this information.~~

### C. HARASSMENT, INCLUDING SEXUAL HARASSMENT

It is BHA's intent to provide a work environment free from all forms of unlawful harassment. All employees are expected to be sensitive to, and respectful of, their coworkers and others with whom they come into contact while representing BHA. BHA prohibits harassment and retaliation by any employee towards any other employee (including managers and supervisors), contractors, subcontractors, suppliers, tenants, vendors, customers, and clients. BHA also prohibits harassment and retaliation towards any employee by any third party (including contractors, [subcontractors, suppliers,](#) tenants, vendors, customers, and clients).

BHA expressly prohibits all forms of unlawful harassment on the basis of any legally protected characteristic. The term "harassment" means unwelcome, demeaning or offensive conduct directed at another [employee individual](#), and can include such things as threats, demands, requests for sexual favors, teasing, abuse, taunts, insults, heckling, or other similar action. It includes conduct that may not be unlawful but has been determined to be inappropriate in our workplace.

Examples of prohibited conduct include:

- Epithets, slurs, negative stereotyping or threatening, intimidating or hostile acts that relate to race, color, national origin, creed, religion, genetic information, sex, gender, sexual orientation, including gender expression and gender identity, age, marital status, honorably discharged veteran or military status, the presence of any sensory, physical or mental impairment, political ideology, or any other protected class.
- Written or graphic material, such as jokes or cartoons, displayed or circulated in our workplace that denigrates or shows hostility or aversion toward an individual or group because of their race, color, national origin, creed, religion, genetic information, sex, gender, sexual orientation, including gender expression and gender identity, age, marital status, honorably discharged veteran or military status, the presence of any sensory, physical or mental impairment, political ideology, or any other protected class.
- Intimidating, hostile, derogatory, contemptuous or otherwise offensive conduct or remarks that are directed at a person because of that person's race, color, national origin, creed, religion, genetic information, sex, gender, sexual orientation, including gender expression and gender identity, age, marital status, honorably discharged veteran or military status, the presence of any sensory, physical or mental impairment, political ideology, or any other protected class.

With respect to sexual harassment, examples of the conduct we prohibit include [conduct that is sexual in nature or gender based, including:](#)

- [Unwelcome physical conduct or touch, including sexually suggestive touching, caressing, massaging, groping, brushing, rubbing against, grabbing, holding, or](#)

| [invasion of personal space.](#)

- Vulgar or sexual comments, jokes, stories and innuendo.
- Graphic, ~~or~~ suggestive [or otherwise inappropriate](#) comments about someone's body or manner of dress.
- Gossip or questions about someone's sexual conduct or orientation.
- Vulgarity, leering, inappropriate touching and obscene or suggestive gestures.
- Displaying, accessing or circulating in the workplace (including via internet or email) sexually suggestive photographs, cartoons, graffiti and the like.
- Unwelcome and repeated flirtations, requests for dates and the like.
- Solicitation or coercion of sexual activity, dates or the like by the implied or express threat of punishment.
- Sexually explicit or suggestive email, text messages, voicemail and the like.
- Subtle pressure for sexual activity, including unwelcome but apparently sanction-free sexual advances by a supervisor to a subordinate, [by a subordinate to a supervisor, or between peers](#).
- Sexual assault.
- Intimidating, hostile, derogatory, contemptuous or otherwise offensive conduct or remarks that are directed at a person because of that person's gender, **whether or not the remarks themselves are sexual in nature**.
- Retaliation against an employee for refusing sexual or social overtures, for complaining about sexual harassment [or any other type of harassment or discrimination](#), or for cooperating with the investigation of a complaint.

Because of the potential for miscommunication, misunderstandings and conflicts of interest, we do not permit managers, leads, or anyone in a supervisory position to date or have an intimate (e.g., sexual) relationship with those they may directly or indirectly supervise (even if on a temporary basis, e.g., as Acting Director), including employees in other departments, if applicable. This policy applies to all employees who have the authority or practical power to supervise, appoint, remove, or discipline another employee or who are responsible for auditing the work of another employee.

We also do not permit employees to date or have intimate (e.g., sexual) relationships with applicants, clients, or residents of a BHA facility at which the employee works, visits, or has any direct or indirect contact, exposure, or responsibility (or any BHA facility in proximity thereto) during the course of employment. In addition, while BHA employees are expected to be courteous and friendly with tenants, they should not use their interactions with tenants as BHA employees to form the basis for personal socializing with

tenants (outside of BHA-sanctioned events).

[Any harassment violations or inappropriate relationships as outlined above will be subject to discipline, up to and including discharge from employment.](#)

## D. REPORTING HARASSMENT AND DISCRIMINATION

Harassment, particularly sexual harassment, and discrimination can be difficult to define. For this reason, we strongly urge you to use our harassment and discrimination reporting policy without worrying about whether the conduct involved would be considered harassment or discrimination in a legal sense. If you consider the conduct to be harassment or discrimination, report it. This policy is intended to assist BHA in addressing not only illegal harassment and discrimination, but also any conduct that is offensive and inappropriate.

If at any time an employee is the subject of harassing or discriminating conduct, or if the employee becomes aware of such conduct being directed at someone else, the employee must promptly:

- Report the matter to the Executive Services Manager either orally or in writing. However, if the employee feels the Executive Services Manager is involved in the conduct or feels more comfortable talking with another, the employee may report the behavior to the Executive Director/CEO, immediate supervisor, or another manager in the same department. The employee should state the specific details of the discriminating or harassing behavior, and it is helpful if details of dates, times, places and witnesses, if any, of the discrimination or harassment can be provided.
- If the employee believes inadequate action is being taken to resolve the complaint, the employee should go directly to the Executive Director/CEO to report the concern.

Managers or supervisors have an obligation to immediately report to the Executive Director/CEO any harassment or discrimination that they observe or become aware of during the course of their employment. All employees are **required** to report all incidents of harassment, discrimination or other inappropriate behavior as soon as possible. BHA is firmly committed to providing you with a pleasant and productive work environment. However, BHA cannot meet this commitment and address these issues if they are not brought to BHA's attention. Please join BHA in its effort to maintain BHA as an enjoyable place to work for all employees.

If a reported incident is investigated, the investigation will be handled under the following guidelines:

- Complaints will be disclosed to witnesses and others, as necessary, to allow BHA to investigate and respond to the complaint, to management, and as may be required by law. While BHA respects confidentiality, BHA will not allow the goal of confidentiality to be a deterrent to an effective investigation.

- A resolution of each complaint will be reached and communicated to the complaining employee.
- Anyone who we conclude has violated our anti-harassment and non-discrimination policy is subject to disciplinary action, up to and including immediate discharge. Disciplinary action will depend on the gravity of the offense. We will take whatever action we deem necessary to prevent an offense from being repeated.
- We will not permit retaliation against anyone who makes a complaint or who cooperates in an investigation. Retaliatory conduct will subject the individuals involved to discipline, up to and including discharge from employment.
- If, after investigating a complaint of harassment or discrimination, BHA finds that the complaining employee or other witness has provided false information, disciplinary action may be taken against the individual who gave the false information, [up to and including discharge from employment](#).

Retaliation is also not permitted and employees must also report this conduct as soon as possible. Again, BHA wants to provide all employees with a pleasant and productive working environment, but BHA cannot do that if these issues are not brought to BHA's attention.

### III. RECRUITMENT AND SELECTION

#### A. NUMBER OF STAFF EMPLOYEES

The number of staff employees will be held to the minimum necessary to ensure efficient operations and shall be based on the current budgets approved by the Board. The establishment of new positions requires the recommendation of the Executive Director/CEO and the approval of the Board.

#### B. STAFF AUGMENTATION

Staff augmentation by employees paid by programs such as the Summer Youth Training Program, Out of School Work Training, Adult Work Experience, and Work Study is encouraged. Such employees will be assigned to the appropriate staff areas and every effort will be made to assure that they are supervised in the same manner as regular staff employees. Compensation and fringe benefits for such employees will be as paid by their funding source, not BHA.

However, nothing in this policy prohibits BHA from funding the position independent of grant funds.

#### C. NOTICE OF APPOINTMENT

All persons selected for employment will be notified in writing by the Executive Director/CEO. A copy of the Employment Action Notice ("EAN") of Appointment will be maintained in the employee's Personnel File.

#### D. EMPLOYEE ELIGIBILITY

All new employees are required to present BHA with documentation legally sufficient to establish their identity and eligibility to work in the United States. Documents and process will be in accordance with most current federal law.

BHA employs only those individuals legally authorized to work in the U.S., in compliance with the terms of the Immigration Reform and Control Act of 1986 and related federal law. New and re-hired employees must complete Section 1 of the Employment Eligibility Verification form, (Form I-9) by no later than the **first day** of employment. Those individuals must also provide original documentation for review, chosen by the employee from the List of Acceptable Documents on the Form I-9, within three business days of the first day of work. Employees generally must be 18 years of age or older. Persons under 18 years of age may be hired only with the approval of the Executive Director/CEO and with presentation of all work permits required by law.

## E. EMPLOYMENT OF RELATIVES AND REGISTERED DOMESTIC PARTNERS

To be an effective member of BHA, it is a part of each employee's job responsibilities to avoid actual, potential, or perceived conflicts of interest, complaints of favoritism, discrimination, or concerns about possible managerial unfairness. Therefore, BHA, as a business necessity, does not permit any employee to directly supervise, or, because of the employee's position in the organizational "chain of command," have the practical power of supervision over another employee who is a relative; or to appoint, remove, discipline, evaluate, or have control over any other matters affecting the employment of another employee [who is a relative](#).

In addition, BHA, as a business necessity, has the right not to employ the relatives of an executive staff member in order to protect confidentiality and/or avoid conflict of interests concerns and/or to avoid the reality or appearance of improper influence or favoritism.

We prohibit the employment of relatives (defined below) of policy level officers of customers, competitors, regulatory agencies and others with whom we deal, where necessary, in order to avoid the reality or appearance of improper influence or favor, or to protect our confidential information.

If two employees are in a situation that conflicts with this policy after becoming related (typically by marriage), one of the employees must elect to transfer to another open position that is suitable under this policy. The employees will be given the initial opportunity to determine which one of them will seek a transfer. If such a position is not available, one or both of the employees may be asked to seek other employment. The employees will be given the initial opportunity to determine which of them will terminate. (The provisions of this section of the policy do not apply to, or affect the employment of, relatives who are employed before the effective date of this policy.)

Relatives within the meaning of this policy include:

- Spouse or registered domestic partner;
- Brothers or sisters (including brothers- and sisters-in-law);
- Parents (~~including mothers and fathers in law~~) and grandparents ([including in-laws](#));
- Children (~~including sons and daughters in law~~) and grandchildren ([including in-laws](#));
- Nieces and nephews; and
- First cousins

**F. COMMISSIONERS AND RELATIVES OR REGISTERED DOMESTIC PARTNERS  
OF COMMISSIONERS**

No person will be employed by the BHA if that person has an immediate family member,

including a registered domestic partner, serving on the Board. No former Commissioner will be employed by BHA for a period of one (1) year following service on the Board.

## G. BACKGROUND CHECKS

In considering an applicant for hire, we will investigate the applicant's background. The investigation may include, but is not necessarily limited to, inquiries into the applicant's references, ~~credit history, and~~ Social Security verification, ~~and conviction record. An applicant will not be denied employment solely on the basis of a poor credit history and will not be denied employment for having filed bankruptcy. In accordance with state and federal law, BHA may seek information on criminal history of a candidate.~~ A conviction record may, but will not automatically, bar an applicant from employment. ~~Any investigation of an applicant's conviction record will be restricted to specified convictions reasonably related to fitness to perform the particular job being applied for, unless we determine that it is not practicable to inquire only about specified convictions.~~ An initial and ~~biennial periodic~~ check on an employee's driver's license and driving record/status will be conducted for those whose ~~job descriptions require essential functions require driving to conduct BHA business valid Washington State driver's license. Employees whose current job responsibilities do not require them to drive on agency business may opt out of the biennial check.~~

## H. TRANSFER AND JOB POSTINGS

We encourage employees to apply for any vacancy in which they have an interest and for which they may be qualified. To be eligible to apply, employees generally must have been in their current position for at least six (6) months and have been performing their current job to our satisfaction. Positions available at BHA will be posted internally, usually for a period of two (2) weeks. There may be other requirements for employees covered by a collective bargaining agreement.

Employees interested in a transfer or promotion to an area in which there is no current opening are encouraged to discuss their interest with the Executive Director/CEO or the supervisor responsible for the area in which they are interested.

Employees interested in a particular position should contact the Executive Services Manager and notify their own supervisor of their application for the position. Applications must be received by the Executive Services Manager by the close of the posting period stated on the notice.

It is not necessary to obtain the prior approval of your current supervisor before submitting an application. However, in considering your application, your current and former supervisors may be contacted for their input.

## IV. ON THE JOB

### A. EMPLOYEE CLASSIFICATIONS

1. **General Concerns/Principles.** All nonunion positions are grouped in ranges, each range to include those positions sufficiently alike to justify common treatment in selection and compensation.
2. **Regular Full-Time Employees.** Regular full-time employees are those exempt and nonexempt employees who are regularly scheduled to work at least thirty (30) hours per week. In general, regular full-time employees are eligible for the benefits outlined in this Manual, subject, of course, to the other eligibility rules described in our benefit policies and plans.
3. **Regular Part-Time Employees.** Regular part-time employees are employees who are regularly scheduled to work at least twenty (20) but less than thirty (30) hours per workweek. Generally, regular part-time employees are entitled to company benefits, on a pro-rata basis, if at all, subject of course to other eligibility rules described in our benefit policies and plans.
4. **Exempt and Nonexempt Employees.** All employees are classified as either exempt or nonexempt for overtime purposes. Exempt employees are not paid overtime. (See our policy in the Pay and Benefits Section on "Timekeeping and Overtime.")
5. **Volunteers.** Volunteers may be utilized by the BHA. Their hours worked, like the time of all employees, should be documented on BHA time sheets. Potential volunteers can be recommended for service to the Executive Director/CEO. Their time of service and their duties shall be outlined in a memorandum to be signed by the department director and the volunteer.
6. **Temporary Employees.** Temporary employees are those persons employed for a limited period of time or for a special assignment or project, generally not to exceed three (3) months. Temporary employees are hired with the understanding that their employment ends upon completion of the assigned short-term task. The applicant must acknowledge the temporary nature of the position and the approximate period of employment on the application for employment. Temporary employees are not entitled to benefits, unless otherwise required by law.
7. **Resident Managers and Site Caretakers.** Resident Managers and Site Caretakers, because of the nature of their work, are considered separate categories of employee and are not considered as either full-time or part-time. Resident Managers are compensated on a contract basis. Generally, Resident Managers and Site Caretakers are not entitled to benefits other than those statutorily mandated, such as Social Security and industrial insurance.

## B. CHANGES IN CLASSIFICATION

Your initial classification will be determined at the time of hire. Changes in classification, including pay, benefits, promotions and so forth, must be confirmed in writing. If you have any questions about your classification or eligibility for benefits, please see the Executive Services Manager.

## C. AT-WILL RELATIONSHIP

We hope you will have a productive and rewarding relationship with us. Nonetheless, you should understand that if you are a non-union-represented employee, your employment with us is “at will.” This means that just as you are free to resign at any time, we reserve the right to discharge you at any time, with or without reason or advance notice, and without compensation except for time actually worked.

## D. WORK HOURS

**1. Business Hours.** Our normal business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. Generally, these business hours are also the regular work hours for administrative personnel. For maintenance personnel the general work hours are 8:00 a.m. to 4:30 p.m. Custodians work eight hours within eight and one-half consecutive hours, between the hours of 6:00a.m. and 6:00p.m. The times employees work may or may not be the same as our normal business hours, depending on the position and our business needs.

**2. Lunch Periods and Breaks.** An *exempt* employee is expected to effectively handle their lunch period and rest break schedule. The following policy applies only to *non-exempt* employees. Personal phone calls and conversations should occur during lunch periods and rest breaks rather than during working time. A *non-exempt* employee must notify their supervisor at the time of a regularly scheduled lunch ~~time~~[period or rest break](#), if the employee has not had a lunch period or rest break. BHA may schedule lunch and break periods to accommodate its business needs.

**3. Lunch Periods.** A *non-exempt* employee who works at least five (5) hours in a workday will be provided an unpaid lunch period of thirty (30) minutes, approximately mid-way through the workday. Administrative personnel are entitled to an unpaid one (1) hour lunch period approximately midway through the workday. Non-exempt employees must not perform any work during the lunch period and must take the entire lunch period completely off work.

Employees working at least three (3) hours longer than a normal workday will be allowed a lunch period before or during the overtime portion of the shift. A “normal workday” is the shift the employee is regularly scheduled to work. If the employee’s scheduled shift is changed by working a double shift, or working extra hours, the additional lunch period will be permitted. Employees working a regular twelve (12) hour shift will be entitled to a second lunch period.

**4. Rest Breaks.** A non-exempt employee will be provided one (1) paid fifteen (15) minute rest break for every four (4) hours worked. Rest breaks may be taken on a scheduled or intermittent basis as determined by the employee's supervisor. These rest breaks are for the purpose of a few minutes of relaxation. Employees may not stay away from their job over the time allotted for a break. Rest breaks are paid but may not be used to extend a meal period, leave early, or arrive late. Non-exempt employees must not perform any work during the rest break and must take the entire rest break completely off work.

Upon request, BHA will accommodate nursing employees with sufficient rest breaks to express milk which may be paid or unpaid in accordance with applicable law.

**5. Flextime.** Although most employees work normal business hours, with the prior written approval of your supervisor and the Executive Director/CEO you may work on a flexible-time schedule to accommodate ride-sharing, daycare and other personal needs. Any request for a modified schedule should be made to your supervisor. But because all schedules are job-driven, we may not be able to give you the schedule you request.

## **E. JOB DESCRIPTIONS**

For each position we generally maintain a job description that describes the qualifications for, and essential functions of, the position. Job descriptions will be periodically reviewed for accuracy and revised when appropriate. If your job duties change significantly at any time, you are expected to notify your supervisor. Any change to a job description must be approved by the Executive Director/CEO. BHA reserves the right to modify the job description for any position or employee at any time, at our discretion.

Notwithstanding the information set forth in a job description, you should understand that due to the limited size of BHA's staff, from time to time you will be requested to perform functions outside the scope of your ordinary job duties and will be expected to work in any capacity to which you are assigned.

## **F. ORIENTATION**

During the first few days of employment, employees will participate in an orientation program conducted by the Executive Services Manager, a staff member from the Accounting Office, and/or various members of your department, including your supervisor. During this program, employees will receive important information regarding the performance requirements of their position, basic BHA policies, equal opportunityaffirmative action plans, compensation, benefits programs, the general content and intent of local, state and federal fair housing laws, and other information necessary to acquaint them with their job and BHA. Employees will also be asked to complete all necessary paperwork, such as medical benefits plan enrollment forms, beneficiary designation forms, and appropriate federal, state and local tax forms. Prior to employment, employees will be required to supply work authorization documentation

and identification.

Employees should use this orientation program to familiarize themselves with BHA's policies and benefits. We encourage employees to ask any questions they may have during this program so that they will understand all the guidelines that affect and govern their employment relationship with BHA.

## G. INITIAL PROBATION PERIOD

All new employees are subject to an initial probation period during their first six (6) months of employment. This initial probation period may be extended if we decide that to do so is appropriate. Successful completion of the initial probation period does not guarantee later employment or limit our discretion with respect to corrective action or discharge. Employees are not guaranteed employment for the entire initial probation period. Employment remains on an at-will basis at all times for non-union-represented employees, both during and after the initial probation period.

## H. TRAINING

The Executive Director/CEO shall have the overall responsibility and authority, which may be delegated, for the training of employees. Continuous, on-the-job training should be a function of every employee in a supervisory position. Generally, efforts will be made to cross-train employees for the responsibilities of positions other than their current ones. In-house classroom training in specific areas of responsibility and authority and recommending selected employees for attendance at training seminars and classes conducted by other agencies is a responsibility of the supervisory staff. Generally, employees ~~will be~~ encouraged to pursue educational opportunities in subjects related to their job performance. Employees should feel free to propose to their supervisors attendance at relevant trainings.

## I. PERFORMANCE EVALUATIONS

BHA's performance process is designed to provide a dialogue between the supervisor and employee on how job requirements and goals are being met.

Performance evaluations generally are conducted two (2) times at approximately three (3) month intervals during the first six months of employment. Thereafter, an employee will normally receive an annual performance evaluation. Additional evaluations, which may be formal or informal, may be requested by the employee or required by the supervisor, for instance, if a performance problem exists. In general, only the evaluation at the end of the first six months of employment and subsequent annual evaluations are considered for pay increases.

Supervisors are responsible for evaluating each employee they supervise. Evaluations should be completed using BHA's performance evaluation form. Participation by the employee being reviewed is essential. The appraisal should be discussed with and signed by the individual being evaluated. The employee's signature acknowledges having discussed and received the evaluation, not agreement with it. The written performance evaluation becomes a part of the employee's personnel file.

## J. CORRECTIVE ACTION

The goal of our corrective action policy is to correct unsatisfactory behavior or performance. To that end, it is our policy generally to apply less severe corrective action

initially and more severe measures if the problem persists. This is only a guideline,

however. We reserve the right in all circumstances to apply the corrective action we decide is appropriate, up to and including immediate discharge without prior corrective action or notice. We reserve the right to discharge employees at any time, with or without reason or advance notice, and without compensation except for time actually worked.

We may take the corrective action we decide is appropriate whenever we believe such action is in the best interests of BHA.

Corrective action that we may take includes verbal warning; written warning; probation; suspension; demotion or reassignment; or discharge, with or without prior notice.

Suspension may be used as a corrective measure, to permit an investigation, to allow us to determine what corrective action will be applied, or to remove an employee from the premises for a period of time.

A probationary period does not guarantee the employee will remain employed to the end of the specified period. Successful completion of probationary status does not guarantee later employment or limit our discretion with respect to later corrective action or discharge.

~~Benefits such as annual leave, educational leave and the like may not be used during a period of probation unless previously approved by the Executive Director/CEO.~~ Benefits that accrue during probation are retroactively restored upon completion of probation unless the employee is involuntarily terminated, in which case the benefits are forfeited. Employees on probation are not eligible for step increases during a probationary period. To assure that suspended benefits are not received during probation, the finance department will be furnished with written notice of the beginning and end of probation.

A discharge must be approved by the Executive Director/CEO before the discharge decision is communicated to the employee.

## **K. SEPARATION FROM EMPLOYMENT**

Separation from employment (termination) may occur due to resignation, discharge, reduction in force, retirement or death.

**1. Resignation.** You may resign by giving written notice of the resignation to the Executive Services Manager or the Executive Director/CEO. Your letter of resignation should state your reason(s) for leaving and when you wish your final day of work to be. We ask that you give us at least two (2) weeks' advance notice to assist us in maintaining adequate staffing. Failure to give two weeks' notice will make you ineligible to receive payment for accrued but unused leave benefits and generally will make you ineligible for rehire.

We reserve the right to determine how a notice period will be completed once your resignation has been tendered. We may allow you to work for some or all of the notice period as long as performance and attitude are satisfactory, or we may implement pay in lieu of notice. This means that if you give us at least two (2) calendar weeks' advance

notice and we require you not to report to work, we will still pay you for up to a maximum of two (2) weeks.

In other cases, if you do not report for work as scheduled without notifying your supervisor of your reason for absence, or if you fail to return to work after we tell you your absence is not authorized, you will be treated as having voluntarily resigned without having given advance notice, unless we decide you had a good reason for not notifying us.

**2. Discharge.** A discharge is an involuntary termination of employment that is not due to a reduction in force. A discharge must be reviewed and approved by the Executive Director/CEO before the discharge decision is communicated to the employee.

**3. Reduction in Force.** Employees whom we notify are released from employment due to a reduction in staff, change of operations, or elimination or change in the duties of a position are considered terminated due to a reduction in force. If it is necessary to reduce personnel, we will select employees for discharge in a fashion that does not unlawfully discriminate and which keeps the operational needs of BHA as the paramount consideration. The selection of employees within a job classification to be retained shall be based primarily on their relative efficiency and the necessity of the job. Other things being equal, length of service may be the determining factor.

Generally, at least two (2) weeks' notice prior to termination due to a reduction in force will be given. Employees who are terminated due to a reduction in force and who do not receive at least two (2) weeks' written notice will receive pay for each day in lieu of notice up to a maximum of two (2) weeks. If work becomes available again, we are not obligated to recall terminated employees or inform them of position openings before considering other applicants.

If an employee is discharged due to a reduction in force and is rehired within thirteen (13) months, the employee shall be credited with prior service for purposes of seniority and leave accrual rates.

**4. Death.** Separation is effective the date of death. All compensation and accrued vacation and sick leave due under the terms of this Manual, if any, will be paid to the estate or surviving spouse or registered domestic partner as required by law.

**5. Exit Process.** All departing employees are required to participate in an Exit Process. The steps to be completed in the Exit Process include, but are not limited to:

- Return of all BHA property, including keys and credit cards;
- Review of the employee's confidentiality obligations;
- Review of any outstanding debts;
- Discussion of the status of fringe benefits;
- Schedule for final paycheck; and
- Exit interview with the Executive Services Manager.

This process is to solicit constructive feedback to improve working conditions and

improve employee/employer conditions.

#### **L. FINAL PAYCHECK**

A departing employee's final paycheck will have deducted from it any paid time off (e.g., vacation or sick leave) that the employee used in excess of the accrued amounts available, or such other benefit payment programs and other accounts payable for which the employee has an obligation to reimburse BHA, as expressly authorized by a Payroll Deduction Agreement and permissible by law.

#### **M. PROMOTION, REDUCTION AND RECLASSIFICATION**

Promotion, demotion, and reclassification shall be recommended by the Directors of the principal staff departments and approved by the Executive Director/CEO.

- 1. Promotions.** Promotion means elevation to a position of more responsibility and/or compensation because of demonstrated efficiency. The availability of vacated or newly established positions shall be communicated to present employees, and those with appropriate qualifications will be encouraged to apply.
- 2. Reductions.** Reduction means movement to a position of less responsibility and/or compensation for reasons unrelated to discipline or corrective action.
- 3. Reclassifications.** Reclassification means a transfer or change in the position and/or compensation of an employee for reasons other than promotion or demotion.
  - Downward reclassification of an employee (i.e., reduction) may occur at an employee's request to move to a position of lesser responsibility and salary. Downward reclassification may also occur should an employee's position be eliminated or the position description changed to one of less responsibility and salary because of reorganization or another reason beyond the employee's control. Whenever possible, the employee shall be transferred to a position of equal compensation, if the employee is qualified for the position. If that is not possible, the employee may be reclassified downward or terminated. In either case, the employee's record shall clearly indicate that the reclassification or termination in no way reflects dissatisfaction with the employee's job performance.
  - Lateral reclassification of an employee may occur because of changes in organization, fluctuating workload, prolonged absence of an employee, or other factors. The reclassification may be either temporary or on-going. The salary or wage rate of the employee shall not change from that of the position previously held until the reclassification is made official. Lateral reclassification may also occur when an employee's request for assignment to a different position in the same salary range is approved.

- Temporary upward reclassification of an employee may occur when an employee is assigned to a position involving increased responsibilities. Assignment to a higher position in an acting capacity may be appropriate due to the temporary or unanticipated absence of the incumbent. Performance of the employee in the higher position may or may not lead to promotion. The represented employee assigned to a temporary upward reclassification will receive a minimum increase of 5 percent or the base pay of the higher classification, whichever is higher, on the third continuous day of work (or conform to any change to the bargaining unit contract). The non-represented employee will receive this increase beginning on the first day.

## N. PERSONNEL RECORDS

Important events in each employee's history with us should be recorded and kept in the employee's Personnel File. It is our policy to maintain such records as employment application, resume, offer letter, records of changes of status, performance reviews, corrective action notices, dates of employment, rates of pay, amount paid each pay period, and for nonexempt employees, the hours worked each work week.

Each employee must provide the following information: name, address, telephone number, Social Security number, IRS Form W-4, Employment Eligibility Verification Form I-9, insurance beneficiaries, marital or domestic partner status and dependents affecting insurance coverage, and a person to notify in case of emergency. It is the responsibility of all employees, including those on leave of absence, to notify the Executive Services Manager if any of this information changes.

The maintenance and release of information in Personnel Files is the responsibility of the Executive Services Manager. All Personnel Files and information are the property of BHA. BHA reserves the right to use and disclose this information as BHA decides is appropriate. In general, however, it is our policy to release Personnel Files and the information contained in them only to Human Resources staff; BHA management, insurance carriers, accountants and attorneys having a legitimate business reason to know the information involved; federal and state authorities as required by law; pursuant to subpoena, judicially enforceable request, or other lawful and enforceable request.

Employees may review their own Personnel Files ~~once per year~~ in the presence of Executive Services Manager Human Resources at reasonable times upon request by the employee or may request a copy of the file free of charge through the public disclosure office. Information obtained from employer and personal references is maintained separate from the employee's Personnel File and is not made available to the employee.

An employee annually may petition that BHA review all information in the employee's personnel file(s) that is regularly maintained by BHA as business records or are subject to reference for information given to persons outside of BHA. BHA shall determine if there is any irrelevant or erroneous information in the file(s) and shall remove all such information from the file(s). If an employee does not agree with BHA's determination, the

employee may request to have placed in the employee's personnel file a statement containing the employee's rebuttal or correction.

#### **O. CHANGES OF STATUS**

An appropriate change of status form should be completed by the Executive Services Manager to document each change in the status of an employee's employment with BHA.

In general, it is our policy to document the following changes of status: hiring/rehiring, promotion, transfer, change in pay, paid leave of absence, unpaid leave of absence, termination (resignation, discharge, reduction in force, retirement, death), and change in employee classification.

Each employee's supervisor needs to ensure that a change of status form is initiated before (if possible) the effective date of the change. Completed change of status forms are to be forwarded to the Executive Services Manager.

#### **P. EMPLOYMENT VERIFICATIONS AND REFERENCES**

All standard employment verifications and employee reference requests will be handled by the Executive Director/CEO or the Executive Director/CEO's designee. Employment verifications and references for current or former employees will provide only the dates of employment, current or last position held and (with appropriate written authorization from the employee) current or last compensation level.

All requests from the employee to have additional reference information released should be forwarded to the Executive Services Manager. Employees will be required to submit a written BHA release form. An employee may request that their own performance evaluation be released to a prospective employer and may also ask their supervisor to provide a written letter of reference. If your supervisor chooses to provide a letter of reference, it will be up to you to provide it to the places at which you are applying for work.

If an employee (other than the supervisor) is asked to be a personal reference for another employee (present or former), the reference letter needs to clearly state that this is an individual reference and does not necessarily reflect the opinions of BHA. Letterhead may not be used for personal references, and the employee title may be referenced but not used in the signature block.

#### **Q. ACCESS TO / SEARCH OF BHA SPACES**

Our premises are intended solely for business purposes, and all areas on our premises are BHA property. We reserve the right to have access to all areas on our premises. This includes areas that are assigned to individual employees, such as desks or lockers, if we have reasonable grounds to believe that misconduct has happened or is going to occur. Examples of the type of suspected conduct that might lead to such access/inspection include, but are not limited to, possession of drugs or alcohol on BHA premises, theft, and

possession of a weapon on BHA premises. Items that you consider to be private and confidential should not be brought onto our premises.

## R. JOB AUDIT

A job audit will be conducted when Human Resources receives a written request indicating that there has been a substantial and on-going change in the duties and responsibilities since the last significant revision of a job description or last job audit review. The employee, department head, or the Executive Services Manager may request the review. The request should be submitted using the job audit request form (provided by Human Resources) with a justification for the request that includes the following information:

- New duties and responsibilities assigned on a continuing basis must be identified.
- Other inaccuracies in the job description must be specifically pointed out.
- If the job description does not reflect essential and significant duties assigned on a regular and recurring basis, the employee must clearly identify those duties.
- The reasons for believing the job may be classified incorrectly should be clearly stated.

The Department Head or a designee will review the justification and discuss it with the employee. The department head will complete their section of the job audit request form to ensure the description is accurate and up to date. A copy of the comments will be provided to the employee. The department head will typically forward the job audit request form to the Executive Services Manager within thirty (30) days of receipt from the employee.

The Executive Services Manager will review the request and make a recommendation to the Executive Director/CEO if a new job description is necessary and/or if the job is accurately classified. The review may include a desk audit or discussion with the employee and the supervisor and/or Department Head.

The Executive Director/CEO's decision, with an explanation for the findings, will generally be provided to the employee and the department head within six (6) months of the date the complete audit request was submitted to Human Resources. If the decision supports reclassification and the decision is to upgrade, the pay action will be effective the date the request was received in Human Resources. If the decision is to downgrade the position, the employee will retain pay but will not receive any further increases until the incumbent's pay is within the salary range for the reclassified position.

A job audit request will not be submitted more than once in any consecutive two-year period.

At any time in this process, if it is found that the employee is being assigned or performing higher grade duties which change the wage grade of the position, such duties may be withdrawn, in BHA's discretion. If the decision is to continue to assign the duties to the

employee, the position description will be revised to reflect the duties and appropriate changes in the classification will be ~~made.~~ ~~affected.~~

The Executive Director/CEO's decision [regarding a job audit](#) shall not be subject to the grievance procedure under any collective bargaining agreement.

## V. STANDARDS OF CONDUCT

### A. GENERAL RULES

All employees are to act professionally at all times. Each employee is expected to work in a cooperative manner with management coworkers, customers and vendors. Violations of our standards of conduct are unacceptable and may result in corrective action, including immediate termination.

The following are *some* examples of violations of our standards of conduct that may lead to discipline or discharge. These examples merely illustrate, and do not limit, the types of conduct we may consider unacceptable. Additional standards of conduct are described throughout this Manual.

- Discourteous treatment of clients, the public or coworkers
- Excessive absence or tardiness for any reason, unless covered by law; abuse of sick leave.
- Unbusinesslike conduct.
- Inappropriate dress or poor grooming.
- Using work time for personal activities.
- Unacceptable level of work performance.
- Unexcused absence.
- Abusive, obscene, profane, and/or threatening language, gestures and/or conduct.
- Insubordination or deliberate failure to carry out instructions.
- Unauthorized release of confidential information.
- Negligent or willful damage and/or theft of BHA property or property of an employee or client; waste of supplies and equipment.
- Falsifying records, including employment applications and time sheets or general dishonesty.
- Harassment or discrimination- of any nature, as well as retaliation against those making complaints or participating in an investigation.
- Violation of safety rules or personal conduct that is dangerous to self and/or others.
- Interfering with or disrupting the work of other employees on the job.

- Working under the influence of intoxicating beverages or drugs; misuse of prescription drugs on the job that cause potential hazard to other employees, clients or the public; or any other violation of BHA's drug and alcohol-free workplace policy.
- Violation of this Manual or other BHA policies, operating procedures or regulations.

Our policies are not intended to include a complete list of all circumstances that may result in corrective action or discharge. The rules set out in this Manual are intended only as guidelines and do not give any employee a right to continued employment or alter the at-will employment relationship, in which an employee may be terminated with or without reason. All corrective action decisions remain in our discretion. We reserve the right in all circumstances to apply the corrective action we determine to be appropriate, up to and including immediate discharge without prior corrective action or notice.

## **B. ATTENDANCE AND PUNCTUALITY**

The regular, daily attendance of each employee is essential to our business. ~~Any absence or tardiness becomes a permanent part of your employment record.~~

You are expected to notify your supervisor as soon as possible, but no later than thirty (30) minutes after your scheduled starting time, each day you are going to be absent from, or late to, work.

If you are absent for two consecutive days without notifying your supervisor, you may be treated as having voluntarily resigned, unless we determine there was good reason for the failure to provide notice. If you are denied permission to take a pre-planned day off for non-sick leave purposes and proceed to be absent on that day, you may be discharged for insubordination.

Absenteeism and tardiness are costly and often cause problems for employees who cover for or depend on the work of the absent or late employee. Excessive absenteeism or tardiness that is not protected under law will affect your performance evaluation and may result in discipline, up to and including suspension or discharge.

You are expected to discuss with your supervisor any problems you may have in reporting to work on time. You may be able to avoid being regarded as tardy by discussing these problems in advance.

## **C. PERSONAL APPEARANCE**

We expect you to dress and groom in a neat and businesslike manner consistent with your job position. Standards may vary from position to position due to such factors as the type of work and amount of public contact involved. You are expected to use your good judgment in selecting appropriate clothing.

Maintenance personnel shall be required to wear uniform clothing that identifies them as

staff members of the Maintenance Department of the Bellingham Housing Authority. Uniform apparel shall be purchased and paid for by BHA. The styles and items of apparel are to be selected by the supervisor.

Footwear should be work appropriate and not present a safety hazard. You are expected to familiarize yourself with safety issues as far as attire is concerned, and dress according to WAC 296-155-212 requirements. Appropriate work shoes must be worn at all times.

Our goal is to provide a workplace environment that is comfortable and inclusive for all employees. We expect your business attire, although casual, will exhibit common sense and professionalism. Supervisors have the authority to enforce this dress code policy and may send you home on your own time to correct areas of concern.

#### **D. DRUG AND ALCOHOL-FREE WORKPLACE**

BHA is a drug- and alcohol-free workplace. BHA believes the unlawful or unauthorized use of controlled substances or alcohol by BHA employees adversely affects BHA's commitment to provide quality services. It also exposes BHA to potential liability, leads to violations of business conduct standards, detracts from a well-earned reputation in the community, and causes the loss of public and business community esteem. BHA encourages employees to seek assistance before their drug and alcohol use renders them unable to perform their job functions or jeopardizes the health and safety of themselves or others.

Your continued employment with BHA is conditioned upon your reading and signing the Drug and Alcohol-Free Workplace Policy, a copy of which is attached to this Manual as Appendix A. If you have questions regarding this requirement, please talk to the Executive Director/CEO.

Employees who violate BHA's Drug and Alcohol-Free Workplace Policy will be subject to discipline, up to and including discharge.

#### **E. SMOKE-FREE WORKPLACE**

BHA maintains a smoke-free workplace. No smoking is permitted anywhere in BHA's buildings or vehicles. If employees choose to smoke, it must be done outside and at least twenty-five (25) feet from entrances, exits, windows that open, ventilation air intakes, and BHA vehicles.

BHA will pay one-half the cost of a smoking cessation program for any employee who wishes to enroll in a program we approve. If the employee successfully completes the program and remains a nonsmoker for a nine-month period, we will reimburse the remaining cost of the program.

## F. GIFTS AND CONFLICT OF INTEREST

You may not directly or indirectly solicit or accept personal fees, commissions, gifts or gratuities of any kind from any resident, [voucher holder](#), or group of residents, or any other person in connection with our business.

You are to avoid placing yourself in a position that may create or lead to a conflict of interest or the appearance of one. For instance, you are prohibited from engaging in any outside business activity, financial relationship or investment that conflicts with our interests, competes with us, or may interfere with your responsibilities to us. You are also prohibited from having any personal interest, directly or indirectly, in any transaction with BHA. You should also understand that under some circumstances personal relationships may create a conflict of interest or the appearance of one, such as where one employee in the relationship has practical power to supervise, appoint, remove or discipline the other employee in the relationship.

BHA also adheres to a Code of Ethics which examines these and related issues in greater detail.

No Commissioner or employee of BHA shall acquire any interest directly or indirectly in any housing project or in any property included or planned to be included in any project, nor shall a Commissioner or employee have any interest directly or indirectly in any contract or proposed contract for materials or services to be furnished or used in connection with any housing project. If any Commissioner or employee of BHA owns or controls an interest directly or indirectly in any property included or planned to be included in any housing project, this ownership or control must be immediately disclosed in writing to BHA and such disclosure shall be entered upon the minutes of BHA. Failure to so disclose such interest shall constitute misconduct in office. Upon such disclosure, such Commissioner or employee shall not participate in any action by BHA affecting such property.

## G. OUTSIDE EMPLOYMENT

Although we do not prevent employees from taking second jobs, it is the employee's obligation to be sure that job performance does not suffer [and to ensure there is not a conflict of interest with BHA employment](#). If you wish to take a second job, please inform the Executive Services Manager. Any outside employment must not place you in a position that raises issues of your safety or the safety of your coworkers or the public, [conflicts of interest](#), or that interferes with the reasonable and normal scheduling expectations at BHA.

## H. CONFIDENTIAL INFORMATION

We consider to be confidential all information about our operations, our employees and our residents that is not generally known to the public. You are reminded of your duty to keep all of this information confidential and to not use this confidential information except [for our benefit. Use or disclosure of confidential information for any purpose other than](#)

to directly benefit BHA will be cause for immediate discipline, up to and including termination.

#### **I. PERSONAL USE OF TELEPHONES, EQUIPMENT AND SUPPLIES**

Our telephones and copiers are for business use and should not be used for personal matters. While it is recognized that you may occasionally need to use BHA telephones and copiers for personal use (i.e., a necessary personal call, copying a tax return), keep in mind that our policy discourages personal use, and the recognized need for occasional use should not be abused. We ask for your cooperation in limiting personal phone calls to emergencies or essential personal business and in keeping them as brief as possible. Postage and supplies may not be used for any personal business.

#### **J. DISPOSAL OF ABANDONED PROPERTY**

Property or tangible items left in vacated or abandoned housing units may NOT be appropriated by any employee or given to any employee through any method for the employee's personal use or for the use of, or sale to, others. Employees may only remove abandoned property from vacated or abandoned units with written directives by either their supervisor or through the Maintenance Department's work order system.

Unless otherwise required by state law or regulation, the following procedure for disposing abandoned property shall be adhered to:

- Usable items that are released in writing by the vacating tenant shall be donated to a resident council or charitable organization.
- Usable items that have not been released by the vacating tenant shall be inventoried and stored in compliance with state law. Inventoried items are to be photographed and itemized on an inventory log.
- Unusable, unsanitary and/or hazardous property and materials shall be disposed of in accordance with BHA procedures.
- The Maintenance Manager or a designee is responsible for determining whether items are usable.

Under NO circumstances may an employee purchase disposed items from any property source, nor are they permitted to be given such items, regardless of condition. [Violations will result in discipline, up to and including discharge from employment.](#)

#### **K. TELEPHONE CONDUCT**

Remember that callers receive a lasting impression of BHA from the way you handle their calls. Always be courteous, and do not keep callers on hold longer than necessary.

If you take calls for others at BHA, please follow these rules of telephone conduct. [Answer](#)

all calls either as your supervisor has requested or, simply, "Good Morning, Bellingham Housing Authority." Be sure messages are accurate. If you have been asked to screen calls, don't make the caller uncomfortable. Instead of simply asking to take a message, say, "She is unavailable, but I will be happy to take a message and have her return your call" or, "He is in conference, may I ask him to return your call?" If the person for whom you take calls is in conference, try to find out in advance whether they will take calls, and from whom. If the person for whom you take calls is out of the office, find out to whom you can refer calls, and to whom you should give numbers where the individual can be reached. Be as helpful as you can without putting anyone in an awkward position or divulging information that might cause a problem.

In an effort to provide our clients with the best customer service, if you are planning to take leave, set your out-of-office telephone and computer messages for the day(s) you will be out.

#### **L. NO SOLICITATION POLICY**

Generally, all employees may participate in the political process so long as doing so does not interfere with work performance. To avoid disruption of the workflow and potential embarrassment for our employees and residents, however, employees are prohibited from distributing literature to other employees or to residents regarding political or social causes or soliciting employees for such causes during work time or in work areas or soliciting residents at any time. In addition, no one outside BHA is allowed on the premises at any time for these or related purposes.

There may be additional restrictions as well that arise from the contractual obligations in our written agreements with HUD and under federal and state law.

#### **M. WHISTLEBLOWER RIGHTS AND PROTECTION**

BHA strives to conduct its business with integrity and in strict accordance with all applicable federal, state and local laws. Accordingly, employees are encouraged to bring to our attention any improper actions of BHA officers or employees in accordance with the procedures outlined below. We will not retaliate against any employee who makes a complaint of improper actions, either externally or internally, in accordance with the procedures set out in this policy.

**1. Reporting Procedure.** As used in this policy, "improper actions" are actions undertaken by an officer or employee in the performance of official duties that (a) are in violation of any federal, state or local law or rule, (b) are an abuse of authority, (c) are a substantial and specific danger to public health or safety, or (d) are a gross waste of public funds. "Improper actions" do not include personnel actions, including but not limited to: employee grievances; complaints; appointments; promotions; transfers; assignments; reassignments; reinstatements; restorations; reemployments; performance evaluations; reductions in pay; dismissals; suspensions; demotions; violations of the local government collective bargaining and civil service laws; or alleged labor or employment agreement violations.

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Improper actions may be reported internally using this policy or may be reported to the Office of the Washington Attorney General, the Office of the Washington State Auditor or the Office of the ~~Bellingham-Whatcom~~ County Prosecutor. Because most concerns can most effectively be addressed internally, we strongly encourage you to report any concerns about improper actions to us, and allow us to complete our review, before you provide information to other governmental agencies. At all times, however, you may report concerns externally to a government agency without fear of retribution for doing so.

To report improper actions to BHA, submit your concern and related information ("Complaint") in writing to the Executive Director/CEO. If the Complaint concerns the Executive Director/CEO, submit your Complaint to the BHA Board. Your identity will be kept confidential to the extent possible under law and consistent with our need to investigate the Complaint, unless you provide written authorization for disclosure. You may report under this policy through a union business representative or attorney.

Within a reasonable time, BHA will promptly address your Complaint and provide you with a written response that identifies the alleged improper action at issue, describes the scope and findings of our investigation, states (to the extent permissible under the confidentiality laws) what action, if any, will be taken against the offending officers or employees, and explains why that action is appropriate.

If you are not satisfied with our investigation or resolution of your Complaint, you may request reconsideration in writing within ten (10) working days of receipt of our written response. Written requests for reconsideration must be submitted to the BHA Board and must identify the specific elements of the investigation or written response that you find unsatisfactory. We have ten (10) working days to advise you in writing whether reconsideration will be granted. Any reconsideration will be limited to examination of the specific issues you raised in your written request. We will have thirty (30) working days from the date reconsideration is granted to complete additional investigation and give you a written response.

All employees ~~must strictly follow this policy~~ are expected to report any concerns under [this policy](#). Employees who comply with this policy will not be subject to discipline or discharge for reporting, disclosure or other activities done pursuant to this policy. ~~Going outside this reporting and reconsideration policy is permitted only in those rare cases where persons or property will be damaged if the alleged improper conduct is not immediately addressed.~~

**2. Protections Against Retaliation.** All BHA personnel are prohibited from taking any adverse employment action against an employee who registers a complaint with a public body in accordance with this policy. If you believe you have been retaliated against for reporting improper actions in accordance with this policy, you may seek redress as follows.

- You must provide written notice of the charge of retaliatory action to the BHA Board

promptly, and no later than thirty (30) days of the date the alleged retaliatory action occurred. The notice must describe the alleged retaliatory action and the persons allegedly involved, and identify the relief requested.

- The Board will respond to the charge in writing within thirty (30) days of its submission. The response will: identify the alleged retaliatory action and persons involved; identify the relief requested; describe the investigation conducted; state and explain the disposition of the charge; identify the relief, if any, that is being granted; and explain why any granted relief is appropriate.
- You are entitled to a hearing, if you so choose, if you are not satisfied with the Board's response to your charge. To receive a hearing, however, you must deliver a written hearing request to the Board within fifteen (15) days of delivery of the Board's written response to your charge or, if the Board fails to respond within the allotted thirty (30) day period, within fifteen (15) days of the last day on which the Board could have responded.
- Within five (5) working days of the Board's receipt of a timely request for hearing, we will apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge.
- Unless the administrative law judge extends the period, the judge will issue a final decision no later than forty-five (45) days after the date the timely request for hearing was delivered to the Board. The administrative law judge's decision is subject to court review.

## VI. PAY AND BENEFITS

### A. TIMEKEEPING AND OVERTIME

Every position at BHA is categorized as either exempt or nonexempt under the wage and hour laws. Whether your position is exempt or nonexempt depends on your job duties [and/or your pay](#). Any questions about whether you are exempt or nonexempt should be directed to the Executive Services Manager.

**1. Exempt Employee.** If you are an exempt employee, you are paid for the general value of your services, not based on hours worked. You receive a fixed salary for all hours worked, and you do not receive overtime pay for working more than forty (40) hours in a week. However, it is expected that to fulfill their job functions, exempt employees will put in a full week of work. Employees not performing their job functions are subject to corrective action, including discharge. Exempt employees who provide extraordinary effort may be authorized by their supervisor to take time off at another time. This time off is not accrued or paid out under any circumstances. It is left entirely to the discretion of the supervisor. Exempt employees may also be asked to record the number of hours worked for grant reporting/billing/other purposes and for keeping track of days taken as vacation or sick leave.

~~1.~~  
**2. Non-Exempt Employee (Overtime Eligible Employee).** All overtime and/or compensatory time MUST be approved by the Executive Director/CEO and authorized in advance. You [must record all hours of work and](#) are not allowed to work overtime without ~~the~~ prior approval. [Non-exempt employees also may not work through meal and rest breaks. If a non-exempt employee's meal or rest break is interrupted, they must notify their supervisor so the supervisor can work with them to ensure they do not exceed their work hours.](#)

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If you are a nonexempt employee, you will be paid overtime at the rate of one and one-half (1.5x) times your regular hourly rate for all hours worked beyond forty in a single work week. Nonexempt employees may [elect to](#) take compensatory time off in lieu of overtime pay [if approved by BHA](#). Compensatory time off at one and one-half times (1.5x) (or double time for time worked on Sundays or holidays) the number of hours worked in excess of the regular daily hours (8, 10, etc.) in a one day and/or forty (40) hours in any one week will generally be granted if approved in advance, provided that, the compensatory time must be taken by the end of the next month. However, BHA may require compensatory time to be paid rather than taken as time off. Paid sick, medical or other leave, holidays, vacations and other time not actually worked, even if paid, are not counted as overtime hours nor [counted as hours worked for purposes of included in the calculation](#) ~~calculating-of~~ overtime pay. You may not work overtime without express advance written authorization from your supervisor.

If you are a nonexempt employee, you must record the number of regular and overtime hours that you work each work week and certify that you have accounted for all hours you worked during the week. [For overtime calculation purposes, a new work week begins at](#)

12:01 a.m. each Monday.

Falsifying time cards, completing the time card of another, ~~or~~ working overtime without authorization, or working overtime without recording your time (working "off the clock") is strictly prohibited and will result in corrective-disciplinary action, up to and including discharge from employment~~not reward~~.

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~~Exempt employees may also be asked to record the number of hours worked for grant reporting/billing/other purposes and for keeping track of days taken as vacation or sick leave.~~

~~For overtime calculation purposes, a new work week begins at 12:01 a.m. each Monday.~~

## **B. MINIMUM REPORTING PAY**

A nonexempt employee who is required to report to work, whether or not on overtime status, shall be entitled upon reporting to a minimum of two (2) hours' pay whether or not actually worked.

## **C. PAYROLL**

Paychecks are issued ~~semi-monthly~~bi-weekly. We will make deductions from your gross pay as required or authorized by law or as authorized in writing by you.

Although we try to be accurate in our payroll records, occasionally there may be inaccuracies. If your paycheck is less than it should be, we will correct it in the following pay period, or earlier if the shortage is significant. If your paycheck is more than it should be, ~~the employee~~you will be asked by BHA to repay the amount either by payroll deductions or by agreement consistent with applicable laws. BHA does not advance pay or benefits under any circumstances.

## **D. PAYROLL ADMINISTRATION**

**1. General.** Our pay structure is intended to provide all employees with fair compensation appropriate to the experience, training and responsibility required by each job. We try to keep our compensation ranges in line with the industry as a whole; i.e., comparable local public practice primarily measured by city and county government prevailing rates. Compensation adjustments do not take effect until confirmed in writing.

**2. Base Rates of Pay.** For all nonunion employees, appropriate base rates of pay and cost-of-living adjustments, if any, shall be determined annually by the Board. A salary range shall be established for each position, and the rate of pay for each employee shall be within the range established for the position. In other words, the hourly base rate of a regular, full-time employee shall not be less than the minimum of the range set for the employee's job title, as determined by the Board. Regular part-time employees shall be compensated on a pro rata basis utilizing the wage/salary rate of a similarly situated regular full-time employee and the actual number of hours worked by the part-time

employee. All employees who are promoted will receive a minimum compensation increase of 5 percent or the base pay of the higher classification, whichever is greater. If a transfer to a classification with a lower pay range is directed by management, the employee's compensation will be established at a minimum of their previous salary for a maximum of two years. Regardless of any other provision of this policy, BHA is not required to pay more than the maximum of the range for any job title.

HUD uses negotiated rates of pay for represented Maintenance employees to determine prevailing hourly rates.

**3. Merit Increases.** Every year on an employee's annual review date, the employee may be entitled to a merit increase in their monthly base rate provided that the employee has received an overall performance rating of "meets," or "exceeds" for the immediately preceding year. If the annual review date falls on the first of the budget year, the increase shall be calculated after the cost-of-living adjustment, if any, to the employee's base rate. BHA shall be the sole judge of performance ratings, which shall not be subject to grievance or arbitration. Nothing in this policy shall be deemed to prevent BHA, in its sole discretion, from granting increases greater than those authorized by this section or not granting increases at all due to financial considerations.

For Exempt Employees, the annual performance evaluation shall be substantively completed by both supervisor and employee before awarding of any merit increase. Merit increases determined following the annual review date will be backdated to the annual review date. Non-exempt employees who are covered by the collective bargaining agreement should refer to the CBA.

**4. Bonuses.** No bonus payments in cash or any other form will be made to employees from BHA funds unless explicitly authorized by the Executive Director/Board.

**5. Garnishment.** When your wages are garnished by a court order to repay a debt that you have incurred, we are legally bound to withhold the amount required by the garnishment order from your paycheck. We will notify you before making a garnishment and sending payments to the creditor, by providing you with a copy of the garnishment paperwork. If you object to the garnishment, you must take independent action to have it lifted; we cannot intervene on your behalf. If your financial concerns do not interfere with your job performance, we will make the deductions and payments as required and there will be no job-related repercussions. However, be aware that an excessive number of wage garnishment orders or involvement in legal matters related to your garnishments causes administrative hardship and unnecessary cost for us.

## **E. INCLEMENT WEATHER**

If you are not able to report to work as scheduled because of bad weather, you are expected to advise your supervisor as soon as possible, and in no event later than thirty (30) minutes after the start of your scheduled shift. Absent special circumstances, BHA will compensate employees for time lost as a result of a management decision to close the office temporarily during inclement weather. When the offices are open, however,

nonexempt employees who do not report to work will not be compensated for time missed, but may use accrued vacation or leave without pay, to compensate for time lost. Exempt salaried employees, who are not paid for overtime work, will have their salaries continued.

## F. EMPLOYEE BENEFIT PLANS

The current insurance and other employee benefits that BHA provides are described in summary plan descriptions that are provided to you and that are available from the Director of Finance. The exact terms and conditions of BHA benefit plans are governed by the plan documents themselves. The plan documents control over any inconsistent statements or descriptions in this Manual, or any other summary or communication, written or oral. In case of a conflict between the terms of an employee benefit plan document and the terms of any summary, the terms of the plan document will control.

BHA does not promise that any particular kind, or level, of benefits will continue in the future. BHA reserves the right to terminate or modify the benefits BHA provides at any time, at BHA's discretion, with or without advance notice. Any changes in benefits, however, will not affect rights that have been vested under the terms of any written benefit plan. Summary descriptions of our employee benefit plans are available from the Accounting Department. Also, the Director of Finance will attempt to assist you with any questions you may have.

**1. Group Insurance.** To the extent approved by the Board, BHA provides group health, life, dental, and vision insurance coverage to eligible regular full-time (defined for health benefit purposes as 75% time or greater) and part-time employees with benefits, dependents, and their spouses or registered domestic partners as defined by the Public Employees Benefits Board (PEBB).

If you are covered by a group health, dental or vision insurance plan, you and your covered dependents are entitled under federal law (COBRA) to continue the coverage for a period of time after losing eligibility for coverage due to a qualifying event such as, a leave of absence (other than FMLA), separation, divorce, a dependent turning 27, a reduction in hours below the eligibility threshold, your employment ends, or death. However, you become responsible for paying the full amount of premiums, plus any administration fees. You will receive notice of this option at the time of any qualifying event.

**2. Deferred Compensation Plan.** To the extent approved by the Board, all regular full-time and part-time employees with benefits are eligible to participate in any 457 Deferred Compensation plan implemented by BHA.

**3. Retirement Plan.** Regular full-time and regular part-time employees with benefits in eligible positions may participate in the Washington Public Employees Retirement System.

**4. Employment Insurance.** We pay premiums for workers' compensation (Washington Industrial Insurance and Medical Aid) and unemployment insurance in

compliance with applicable law for all employees.

**5. Section 125 Flexible Spending Account (FSA).** BHA provides a Flexible Benefits Plan which allows employees to deposit funds in their FSA accounts in order to realize tax savings on their health and childcare expenses. Maximum FSA amounts for deposit are defined by the federal government. Participation is voluntary. BHA provides FSA funds in advance at the start of each calendar year for employees who participate in the FSA program. As part of the enrollment process, BHA will require participants to submit a waiver prior to receiving funds.

**6. Health Reimbursement Arrangement/Voluntary Employees' Beneficiary Association (HRA VEBA) Plan.** BHA provides a tax-free defined contribution account for employees to pay for health care expenses. Regular full-time and regular part-time employees with benefits in eligible positions will participate in the VEBA program. This plan, funded with employer contributions, will deposit a stipulated monthly amount for eligible employees and an amount equal to 25 percent of departing employees' accumulated sick leave hours at their current pay rate into their VEBA accounts. Employees who are terminated for gross misconduct or who have resigned without at least two weeks' notice are not eligible to receive this contribution.

## **G. EXPENSE REIMBURSEMENT**

Employees will be reimbursed for reasonable authorized business expenses after submitting an expense report with complete supporting documentation. The expenses must be authorized in writing before being incurred. See the Executive Services Manager for details. A falsified expense report may result in immediate discharge.

Employees or Commissioners may perform official travel upon authorization by the Board or the Executive Director/CEO. In the case of a trip to a destination outside the jurisdiction of BHA (except to nearby communities to carry out normal operating functions), prior authorization must be obtained from the Executive Director/CEO. Travel outside the State of Washington requires approval of the Board. Detailed travel regulations are governed by the BHA Travel Policy, a copy of which may be obtained from the Executive Services Manager and can also be found on the Intranet.

## **H. EDUCATIONAL REIMBURSEMENT**

Employees may be reimbursed for the cost of tuition of supervisor-approved, job-related courses. A maximum annual amount of ~~\$500~~-~~750~~ per employee per year may be approved. However, this may be limited to a lesser amount by the department's training budget.

To qualify for reimbursement, employees must obtain advance written authorization from the Executive Services Manager by submitting the "Educational Reimbursement Request" form. The class must be directly related to the work the employee is performing or be of assistance in achieving departmental goals. Reimbursement will be paid from the department's budget upon successful completion of the course ("C" grade or better).

Documentation of the course taken and the grade received must be given to Accounting along with request for reimbursement. Another copy will be sent to Human Resources for inclusion in the Personnel File to provide a history of training.

Exceptions to the ~~\$500-750~~ limit may be approved by the Executive Director/CEO when training is needed for critical skills necessary to the agency.

#### **I. ORGANIZATION MEMBERSHIP EXPENSES**

BHA may pay the professional dues and membership fees of employees up to a maximum of \$500 per employee per calendar year for organizations related to the employee's job. To qualify for such payment, you must obtain advance written authorization from the Executive Director/CEO.

#### **J. EMPLOYEE ASSISTANCE PROGRAM**

BHA recognizes that employee work performance may be hampered by a wide variety of personal, family and other concerns totally unrelated to work. These include alcoholism, drug abuse, marital problems, family strife, and financial and legal concerns. These types of concerns typically result in employee absenteeism, tardiness, distractedness and generally reduced productivity and efficiency. In the interests of both the employee and BHA, BHA is strongly committed to assisting employees through the difficulties associated with these types of personal problems. Accordingly, BHA offers all employees and members of their immediate families the services of an employee assistance program (EAP) to handle assessment and referral to local community treatment sources.

Accordingly, BHA offers all employees and members of their immediate families the services of Health Promotion Network, an independent consulting firm in the EAP field that has been retained by BHA for consultation services for referrals to local community treatment sources. The professional staff at Health Promotion Network may be reached at the following numbers: (360) 788-6565 or 1-800-244-6142.

All employees are strongly encouraged to use the program. From time to time, BHA itself may urge, or require, an employee to seek assistance. Employee visits to the EAP will be kept confidential to the fullest extent possible.

It should be noted that while employees seek assistance from our EAP, they are expected to continue to meet performance expectations. Participation in the EAP does not prevent BHA from taking disciplinary action against an employee for performance problems that occur before, during or after the employee seeks such assistance.

#### **K. VEHICLE USAGE/DRIVER RESPONSIBILITY/INSURABILITY**

From time to time, as a part of your employment with us, employees may be required or have the opportunity, to use BHA vehicles or their personal vehicle for BHA business. Obviously, either situation creates the potential for liability for both the employee and BHA in the event of an accident or other mishap. For that reason, it is important that BHA

undertake certain minimum steps to ensure that all persons operating vehicles on BHA business are properly licensed, qualified and adequately insured.

When operating a BHA vehicle on BHA business with proper approval, employees generally fall within the scope of BHA's automobile liability insurance coverage with the Housing Authority Risk Retention Pool ("HARRP"). BHA does not permit employees to operate a BHA vehicle if, for any reason, they are excluded from such coverage. Persons excluded from coverage include, but are not limited to, those who have: operated a motor vehicle under the influence of alcohol or an illegal or controlled substance within the past thirty-six (36) months; possessed alcohol or an illegal or controlled substance in a vehicle within the past thirty-six (36) months; been convicted of any moving violation involving a fatal accident; or had their driving privilege restricted, suspended or revoked in the past thirty-six (36) months. This is not an exhaustive list. BHA participates in a motor vehicle reporting program for the purpose of lawfully monitoring the driving records of employees [whose essential functions require driving](#). Also, as a general rule, BHA will not permit employees to use their personal vehicles to perform BHA business if they have committed one or more "excludable" acts.

Once an employee is declared excluded from coverage, and therefore an unacceptable driver (whether using a BHA vehicle or a personal vehicle), the employee keeps that designation for a period determined by our insurance provider, HARRP. If an employee holds a position for which driving a BHA vehicle is an essential function and engages in conduct that excludes coverage, the employee may be discharged on the grounds of no longer being qualified for the job.

~~An employee who is not required to drive as an essential job function may request permission to opt out of the process of monitoring driving records. If this request is approved, the employee may never drive a BHA vehicle or private vehicle on BHA business. If the employee's job duties should change, the employee may be required to drive and be subject to the process of proving a safe driving record and personal insurance liability coverage.~~

The use of BHA vehicles is governed by the following rules:

- BHA vehicles may only be used with the permission of BHA. A request to use a BHA vehicle must be approved by the employee's immediate supervisor.
- No smoking is allowed while using a BHA vehicle.
- BHA vehicles must be returned to BHA premises after use ~~unless permission is given to store the vehicles elsewhere for the convenience of BHA. An example of this would be if a vehicle is needed early in the morning or after normal working hours, BHA may allow an employee to take the vehicle home for the evening. Permission to do this may only be granted by the employee's immediate supervisor.~~
- No drinking of alcoholic beverages is allowed in BHA vehicles.

- No passengers shall be allowed in the BHA vehicle without permission. Permission may only be granted by the employee's immediate supervisor.
- Employees [whose essential functions require driving](#) are required to have a valid Washington driver's license and be insurable by BHA's insurance carrier before they can use a BHA vehicle. BHA may check the status of [driver's licenses of employees whose essential functions require driving](#) at any time. Any change in the driving license status of an employee [with driving as an essential function](#) is to be immediately reported to BHA.
- Employees must complete the mileage log in the vehicle for each trip.
- The receipt of any citation while driving a BHA vehicle shall be immediately reported to the employee's supervisor.
- Employees are directed to operate BHA vehicles in a safe manner at all times. Any employee involved in a collision or other type of accident [involving a BHA vehicle or while using a personal vehicle to conduct BHA business](#), whether or not damage is sustained to the BHA vehicle or anything or anyone else, shall immediately report the incident to the employee's supervisor. Failure to report a collision or other type of accident will result in disciplinary action [up to and including, but not limited to, suspension and/or termination](#).
- Employees, whether as drivers or passengers, and all other passengers are required to use seat belts and all other safety harnesses or other safety devices which are provided with the BHA vehicle at all times.
- Use of BHA vehicles for personal use generally is not permitted except for incidental use while performing job duties. All use of vehicles for business or personal use must be recorded on a vehicle usage log.

All employees should understand that when using personal vehicles on BHA business they are not covered by BHA's insurance, regardless of whether they otherwise are an acceptable risk. They are covered only by their personal policies. This means that in the event of an accident, the employee's personal policy will be responsible for payment of damages. BHA's policy typically will provide a defense and indemnification only for BHA, and only if BHA is also named in the lawsuit. For the protection of both BHA and its employees, BHA does not permit employees to use personal vehicles on BHA business without first having written authorization and presenting proof of adequate liability limits through their personal policies. Employees [whose essential functions require driving](#) will be required to submit a Certificate of Insurance [at least every two \(2\) years periodically](#) to verify the adequacy of current liability limits, ~~unless the employee has opted out of the motor vehicle reporting program~~. BHA does not directly pay any part of the premium for such coverage. Rather, the mileage reimbursement provided by BHA is intended to include partial or full reimbursement for the premium.

**Safety Issues for Cellular Phone Use:** Employees whose job responsibilities include regular or occasional driving on company business are directed to:

- Allow incoming calls while driving to be picked up by voice mail or left unanswered.
- Place or receive cell phone calls while driving on an emergency basis only and only while stopped or while properly using a hands-free device.
- Never use a cellular phone or other wireless communication device to read, type or send text messages, send or receive email, access the Internet, or perform any other manual task while driving.
- Concentrate on safe and defensive driving at all times and never allow cell phone usage to compromise their safety or the safety of others.
- Adhere to all federal, state or local rules and regulations regarding the use of cellular phones while driving. Accordingly, employees must not use cellular phones if such conduct is prohibited by law, regulation or other ordinance.

**Safety must come before all other concerns.**

#### **L. RESIDENT MANAGER HOUSING**

Designated resident managers will be supplied with a free apartment and utilities. Ordinarily, resident managers are expected to vacate their apartments upon cessation of employment or pay status. Under special circumstances, the resident manager in an unpaid status may continue to live rent-free for up to twelve (12) weeks in the apartment when the Executive Director/CEO authorizes leave of absence. This leave may be up to twelve (12) weeks during a 12-month period. The 12-month period is a rolling 12-month period measured backwards from the date of use. After this time, the employee will pay rent based on a pro-rated Fair Market Rent (FMR) until such time as employee resigns or is terminated. At this point, the employee must vacate the apartment immediately. If the employee is unable to manage this move, BHA may arrange and pay for the expense of the move.

## VII. TIME OFF

### A. HOLIDAYS

We observe the following company holidays:

- New Year's Day
- Martin Luther King Jr. Day
- Presidents' Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day and ~~the day after~~ [Native American Heritage Day](#)
- Christmas Eve Day
- Christmas Day

In addition, all employees will be awarded two (2) Personal Holidays on January 1 of each year and, for new employees, at the date of hire. The first Personal Holiday may be used by new employees only after the completion of six (6) months of service. The second Personal Holiday is available to new employees immediately upon hiring. Personal Holiday accruals renew on January 1 of each year. They must be used during the calendar year in which they are awarded. Otherwise, they will be forfeited. Under no circumstances will BHA provide a cash payment in lieu of a Personal Holiday.

If a BHA-recognized holiday falls on a Saturday or Sunday, we will observe it either on the preceding Friday or the following Monday. The Christmas Eve holiday will vary from year to year based on that year's particular calendar. If Christmas Day falls on a Saturday, the Christmas Eve holiday will be scheduled on the prior Thursday. If Christmas Day falls on a Sunday or Monday, the Christmas Eve holiday will be scheduled on the prior Friday.

Nonexempt regular employees who work the normal workdays before and after a holiday will be paid for the holiday based on their normally scheduled hours of work. Nonexempt employees who are asked to work on a holiday will also be paid their regular wages for the hours actually worked. Exempt salaried employees will have their salary continued during the holiday.

A holiday occurring during an employee's scheduled vacation shall not be charged against accrued vacation.

**B. ANNUAL LEAVE**

Regular full-time and regular part-time employees with benefits receive paid annual leave. Employees are eligible to take annual leave as soon as it accrues.

The accrual rate varies based on whether you are in an exempt position or a nonexempt position. For persons in non-exempt positions, the accrual rates are as follows. In your first year, you accrue annual leave at the rate of .917 days per month of continuous employment, up to a maximum of eighty (88) hours (11 working days). After your first anniversary of continuous employment, you are eligible to accrue annual leave in accordance with the following schedule:

YEARS OF EMPLOYMENT	ACCRUAL (hours per month) (inclusive)	MAXIMUM DAYS PER YEAR
1 (1-12 months)	7.334	11 (88 hours)
2 (13-24 months)	8.000	12 (96 hours)
3 (25-36 months)	8.667	13 (104 hours)
4 (37-48 months)	9.334	14 (112 hours)
5 (49-60 months)	10.000	15 (120 hours)
6 (61-72 months)	10.667	16 (128 hours)
7 (73-84 months)	11.334	17 (136 hours)
8 (85-96 months)	12.000	18 (144 hours)
9 (97-108 months)	12.667	19 (152 hours)
10 (98-120 months)	13.334	20 (160 hours)
11 (121-132 months)	14.000	21 (168 hours)
12 (133-144 months)	14.000	21 (168 hours)
13 (145-156 months)	14.666	22 (176 hours)
14 (157-168 months)	14.666	22 (176 hours)
15 (169-180 months)	15.333	23 (184 hours)
16 (181-192 months)	15.333	23 (184 hours)
17 (193-204 months)	16.000	24 (192 hours)
18 (205-216 months)	16.000	24 (192 hours)
19 (217-228 months)	16.000	24 (192 hours)
20 and over	17.333	26 (208 hours)

Regular full-time employees in exempt positions accrue annual leave as follows.

1-4	10.000	15
5-9	13.334	20
10 or more	18.667	28

Regular, part-time employees accrue annual leave pro rata on the basis of hours actually worked and a standard work year of two thousand and eighty (2080) hours.

You may not take annual leave before you actually earn it. Annual leave schedules must be arranged between you and your supervisor. We usually prefer that you take annual leave in multiple day blocks, but with enough advance notice you can arrange to take annual leave on a day-by-day basis.

Our annual leave policy is designed to refresh and invigorate our employees with time away from the job, and we encourage you to use your annual leave every year. Nevertheless, you may carry over up to a maximum of your full entitlement for two (2) years. Otherwise, unused annual leave is forfeited at the end of the calendar year.

If an employee becomes ill or injured during annual leave, the employee may request that the time be counted as sick leave, rather than charged against accrued annual leave. Employees must promptly notify their supervisor if interested in substituting sick leave for annual leave. Employees may use annual leave to care for a child ([biological, adopted, foster, stepchild, etc.](#)) with a health condition requiring treatment or supervision [including preventative care](#), or to care for a spouse, registered domestic partner, parent or parent-in-law, or grandparent with a serious health condition or an emergency health condition, or a child 18 years or older with disabilities, [or a wife or daughter who is disabled because of pregnancy or childbirth](#) –as allowed under the Washington Family Care Act. However, annual leave must still be scheduled in advance whenever the need to use annual leave for such purposes is foreseeable. If the need for annual leave is not foreseeable, such as in the case of an emergency health condition, the employee must give as much advance notice as practicable under the circumstances. Employees who use annual leave for such purposes may be required to provide certification of the need for such absences.

If you are a nonexempt employee, you will be paid for your normally scheduled number of hours at your regular rate for each day of annual leave. If you are a salaried exempt employee, your pay will simply be continued as if you were working.

Departing employees generally will receive payment for accrued but unused annual leave up to a maximum of two years' maximum entitlement. For example, if a [nonexempt](#) employee separated from BHA after five years of service, that employee would be entitled to a maximum cash-out of 28 days. If we determine, however, in our discretion, that a discharge is due to misconduct by the employee, or if an employee resigns without giving us at least two weeks' advance notice, no payment for accrued annual leave will be made.

### C. PAID SICK LEAVE AND SICK LEAVE SHARING

We provide paid sick [as required by RCW 49.46.210](#) to all employees [as required by applicable law](#). Accrued sick leave may be used for the following purposes:

- To care for their health needs or the health needs of their family members.
- When the employees' workplace or their child's school or place of care has been

closed by a public official for any health-related reason.

- [For employees to attend any judicial or administrative immigration related proceeding involving themselves or family members.](#)
- For absences that qualify for leave under the state [law for victims and family members of victims of domestic violence, sexual assault, stalking, and hate crimes's Domestic Violence Leave Act.](#)

"Family members" are defined as spouse, registered domestic partner, child, parent, sibling, grandparent, grandchild, or corresponding in-laws or "step" or "foster" relations. For use of sick leave for [victims of domestic violence, sexual assault, stalking, and hate crimes, leave](#), "family member" also includes someone with whom the employee has a dating relationship (meaning a social relationship of a romantic nature). Full-time employees accrue sick leave at the rate of one sick day for each month of employment. All other employees accrue sick leave pro rata on the basis of hours actually worked and a standard work year of two thousand and eighty (2080) hours.

An employee who is unable for medical reasons, including illness, injury and medical and dental care for either the employee or dependents, to report to work as scheduled may use accrued sick leave credits and be paid at the employee's hourly base rate for each hour of medical absence, not to exceed the regular daily (8, 10, etc.) hours in any workday.

An employee who is unable to report to work as scheduled because of personal or family medical reasons needs to immediately notify the employee's immediate supervisor. An absence not reported as required by this subsection shall be recorded as an absence without pay, although BHA, in its sole discretion, may waive this requirement for good reason shown. BHA [HR](#) may require a physician's statement or other proof of the medical necessity for any absence for which sick leave credits are used [as allowable under applicable law](#).

Accrued sick leave need not be used during the calendar year in which it accrues. It may be carried over from year to year, up to a maximum accrual of one hundred and eighty (180) days (1,440 hours).

Departing exempt employees who have completed six months of service generally will receive payment for twenty-five (25%) percent of all accrued, unused sick leave. If we determine in our discretion, however, that the discharge of an exempt employee is due to misconduct by the employee, or the employee has failed to provide at least two (2) weeks advance notice of resignation, no payment shall be made for accrued, unused sick leave.

During the month of January of each calendar year, employees who have accrued at least sixty (60) days of sick leave may elect to exchange each day in excess of the sixty (60) day threshold in the following manner: Four (4) days of accrued sick leave for one (1) day of special vacation leave, up to a maximum of three (3) days of special vacation leave.

The election must be made during the month of January and the special vacation days must be taken before December 31 of the year of election.

Employees may donate accrued sick leave to a fellow employee who is suffering from an extraordinary or severe illness or injury which has caused, or is likely to cause, the employee to take leave without pay or terminate employment. An employee is also eligible to receive donated sick leave when that employee qualifies for leave ~~under the Family Medical Leave Act~~ due to a medical emergency of the employee or a family member that will require a prolonged absence or for bereavement leave due to loss of a parent, spouse or child, ~~or when an employee experiences a death in the family, which qualifies under BHA bereavement policy.~~ In all of these instances, a doctor's medical certification is necessary in order for such leave to be approved. Any such donation of sick leave shall be subject to the following provisions:

- Donating employees must retain at least 240 hours of accrued sick leave;
- Donating employees may donate up to 40 hours of sick leave per year;
  
- Receiving employees must be on an approved medical leave for at least two weeks;
  
- Receiving employees must exhaust their own accrued annual leave, sick leave, and personal holidays before becoming eligible to receive donated days;

This provision is not applicable to leave for conditions resulting from current substance abuse.

## D. LEAVES OF ABSENCE

### 1. General Rules Applicable to All Leaves of Absence.

a. Requests for Leave. When requesting leave, ~~Requests for leave should be submitted in writing as far in advance of the anticipated leave date as possible.~~

- ~~For pre-planned leaves, employees must give at least 30 days notice.~~
- ~~For medical appointments, employees should give as much time as possible, but preferably no less than 10 days notice.~~
- ~~For uses of paid sick leave for nonexempt staff, employees should notify as soon as you know you will be out.~~

~~a. the employee must provide at least thirty (30) days of advance notice whenever possible. The only exception is for foreseeable events involving use of sick leave, such as appointments scheduled in advance, when employees must provide 10 days' notice, or as much notice as practical. Requests for leave should be submitted in writing as far in advance of the anticipated leave date as possible.~~ If circumstances prevent an employee from submitting an advance written request, the employee must verbally inform the employee's immediate supervisor, or the Executive Director/CEO as soon as possible, and follow with a written

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request. All requests for leave must indicate the date that the employee anticipates needing time off and when the employee anticipates returning to work. Requests for leave should be submitted to the employee's immediate supervisor or the Executive Director/CEO.

Regular and predictable attendance at work is a job requirement. Therefore, when an employee's leave is not approved by BHA, or not otherwise authorized by law, it may be considered an unauthorized absence that may subject the employee to disciplinary action, up to and including discharge from employment. For this reason, employees are encouraged to consult with the Executive Director/CEO to discuss eligibility, timing and duration of the leave available, consistent with these policies and with applicable law. To the extent allowed by law, all leaves will run concurrently.

b. Periodic Reporting. During all periods of leave, an employee is expected to keep their immediate supervisor, or the Executive Director/CEO, apprised of the status of their condition and any changes in their anticipated date of return. If an employee takes leave for more than two (2) weeks, we require regular reports to us at least every two (2) weeks on the employee's status and intent to return to work.

c. Returning From Leave. BHA complies with all applicable federal and state laws related to reinstating an employee after periods of leave. When an employee has been absent for four (4) consecutive scheduled workdays for an employee's illness or injury, BHA may require a healthcare provider's statement regarding the employee's fitness to return to duty, including whether any conditions or accommodations are needed.

An unauthorized failure to return promptly to work at the conclusion of a leave of absence, acceptance of any other employment during a leave, or an application for unemployment compensation while on leave (which would indicate availability for work), may be treated as a voluntary resignation.

Upon returning from a leave of thirty (30) days or more, your normal anniversary date for performance review purposes will be advanced by the number of days absent.

d. Continuation of Benefits During Leave. All employee benefits continue during periods of paid leave. During all periods of unpaid leave:

- Employee benefits that operate on an accrual basis (such as annual and sick leave) do not continue to accrue unless a written employee benefit plan [or state/federal law](#) provides otherwise.
- BHA does not pay for group health or other insurance benefits (unless required under ~~the Family and Medical Leave Act~~), but employees may continue those benefits at their expense during the leave to the extent allowed by BHA's benefit plans and by law.
- No other benefits are provided.

- All periods of authorized leave, whether paid or not, are included when calculating an employee's length of service with BHA.

## 2. Family and Medical Leave.

Under the federal Family and Medical Leave Act, employees who qualify can receive up to 12 weeks of unpaid, job-protected leave per year with continuation of group health benefits during the leave. Leave can be taken for the following reasons:

- For the birth and care of the newborn child of an employee;
- For placement with the employee of a child for adoption or foster care;
- To care for an immediate family member (i.e., spouse, child, or parent) with a serious health condition; or
- To take medical leave when the employee is unable to work because of a serious health condition.

Employees who require leave or other assistance due to a disability or serious illness should contact Human Resources as soon as possible. BHA will strive to work with employees to meet their needs in dealing with the situation.

~~BHA complies with the federal Family and Medical Leave Act of 1993 (FMLA), as amended, which provides leave to an eligible employee for certain family and medical reasons such as:~~

- ~~• for the birth of a child;~~
- ~~• for placement with the employee of a child for adoption or foster care;~~
- ~~• to care for the employee's spouse, child, or parent with a serious health condition;~~

In addition, military FMLA is available for the following reasons:

- because of any qualifying exigency arising out of the fact that the employee's covered family member is being called to active duty or is on active duty in support of a contingency operation; or
- to care for an employee's family member who is a covered service member or veteran who retired within the last five years with a serious injury or illness.

In general, FMLA leaves of absence ~~granted under this policy~~ are unpaid leaves of absence. However, during FMLA leave, an employee must use any accrued, unused paid time off such as sick leave or annual leave. Regardless of whether the leave is paid or unpaid, FMLA leave starts on the first day of absence. ~~An employee requesting FMLA leave must also comply with all BHA policies regarding paid time off.~~

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~~BHA desires to create an environment where employees feel free to request medically necessary leave and accommodations when issues arise in their personal lives that require that the employee be absent from work. To accomplish this goal, BHA encourages employees who need leave to request it, regardless of eligibility and coverage. BHA will evaluate requests for leave on a case-by-case basis. This philosophy statement does not limit BHA's ability to enforce its leave policy in compliance with applicable law. To the contrary, BHA reserves its right to deny leave to any employee who is not eligible under applicable law.~~

e. **Employee Eligibility.** An employee must have been employed by BHA for at least twelve (12) months and have been employed for at least 1,250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave. The twelve (12) months of employment need not be consecutive, but certain rules will apply to determine whether prior service will be counted. When the request is made, the employee must also work at a worksite where 50 or more employees are employed by BHA within 75 miles of that worksite.

~~f. **Covered Reasons for FMLA Leave.** An eligible employee may take FMLA leave for the following reasons:~~

- ~~• **Birth or Bonding.** Either or both parents may take FMLA leave for the birth of their child. This leave must be taken before the end of the 12-month period beginning on the date of the birth.~~
- ~~• **Incapacity due to Pregnancy.** A pregnant employee is entitled to FMLA leave for incapacity due to pregnancy, prenatal care, or for the employee's own serious health condition following the birth of the child. FMLA leave may begin before birth if the employee is unable to work. An employee is entitled to FMLA leave to care for the employee's pregnant spouse if the spouse is incapacitated with a pregnancy-related health condition before or after the pregnancy. (See also **Pregnancy Disability Leave Policy**, below.)~~
- ~~• **Adoption or Foster Care.** An employee may take FMLA leave for placement with the employee of a child for adoption or foster care. This leave must be taken before the end of the 12-month period following placement.~~
- ~~• **Family Member's Serious Health Condition.** An employee may take FMLA leave to care for a spouse, parent, or child who has a serious health condition. This care may include both physical and psychological care.~~
- ~~• **Employee's Own Serious Health Condition.** An employee may take FMLA leave to care for their own serious health condition that makes the employee unable to perform the essential functions of their position.~~
- ~~• **Caregiver Leave for an Injured Service Member.**~~

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- ~~○ The eligible employee must be the spouse, child, parent, or next of kin of a covered service member. The child may be of any age.~~
- ~~○ Next of kin means the nearest blood relative, other than the covered service member's spouse, parent, or child.~~
- ~~○ Leave is available for up to 26 weeks in a twelve-month period.~~
- ~~○ The service member must be either a current member of the Regular Armed Forces, National Guard or Reserve or a veteran of the Regular Armed Forces, National Guard or Reserve.~~
- ~~○ The *current* service member must be undergoing medical treatment, recuperation, or therapy in outpatient status in a military medical treatment facility or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients, or on the *temporary* disability retired list (TDRL) for a serious injury or illness.~~
- ~~○ The veteran must be undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and must have been a member of the Regular Armed Forces, National Guard or Reserve at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.~~

~~◆ **Qualifying Exigency Relating to a Call to Active Duty.**~~

- ~~○ The eligible employee must be the spouse, child, or parent of a covered service member. The child may be of any age.~~
- ~~○ The service member must be in the National Guard or Reserve (Army National Guard of the United States, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard of the United States, Air Force Reserve and Coast Guard Reserve), or be a retired member of the Regular Armed Forces or Reserve. A call to active duty refers to a Federal call to active duty.~~
- ~~○ The leave must be needed for a non-medical qualifying exigency which arises out of the service member being on active duty or having been notified of an impending call or order to active duty. Qualifying exigencies include:~~
  - ~~○ Short notice deployment.~~
    - ~~■ Eligible employee may take up to seven (7) calendar days' leave if the military member receives seven (7) or less days' notice of a call to active duty.~~
    - ~~■ Military events and related activities (before and during deployment).~~
    - ~~■ Certain temporary childcare arrangements on an urgent, immediate need~~

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~~basis (but not on a routine, regular, or everyday basis), or to attend meetings with staff at a school or daycare facility.~~

- ~~▪ Financial and legal arrangements to address the service member's absence.~~
- ~~▪ Counseling by a non-medical counselor (such as a member of the clergy).~~
- ~~▪ Rest and recuperation.~~
- ~~▪ Eligible employee may take up to five (5) days' leave for each instance when the military member is on temporary rest and recuperation leave.~~
- ~~▪ Post-deployment military activities.~~
- ~~▪ Additional activities agreed to by BHA and the employee relating to the service member's call to duty.~~

~~g. Definitions of Terms Used:~~

~~For purposes of medical leave, a "**serious health condition**" is defined as any illness or injury that involves:~~

- ~~(a) in patient care in a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care;~~
- ~~(b) any period of incapacity or disability due to pregnancy or childbirth, or any period of absence for prenatal care;~~
- ~~(c) a chronic condition which requires periodic visits (at least two times per year) for treatment by a health care provider; continues over an extended period of time (including recurring episodes of a single underlying condition); and may cause episodic rather than a continuing period of~~

incapacity (e.g., asthma, diabetes and epilepsy);

- (d) ~~a condition which incapacitates the person for more than three consecutive days and requires in-person treatment at least once within seven days of the beginning of the incapacity and at least twice within 30 days of the beginning of the incapacity, in the judgment of a health care provider;~~
- (e) ~~a condition which incapacitates the person for more than three consecutive days, requires in-person treatment at least once within seven days of the beginning of the incapacity, and requires a course of continuing treatment;~~
- (f) ~~a permanent or long-term incapacity due to a condition for which treatment may not be effective. Examples of qualifying conditions include Alzheimer's disease, a severe stroke or terminal stage of a disease. The employee or family member must be under the continuing care of a health care provider, but need not be receiving active treatment; or~~
- (g) ~~any period of absence to receive multiple treatments either by, or upon referral by, a healthcare provider for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive days in the absence of medical intervention or treatment.~~

~~Note: For purposes of this definition, "incapacity" and "incapacitates" mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefor, or recovery therefrom.~~

~~For purposes of medical leave and family leave to care for a child:~~

- (a) ~~a "child" is a biological, adopted or foster child, stepchild, legal ward, or child for whom the employee has long-term, day to day care responsibility whether or not any legal or biological relationship exists. The child must be under 18 years of age, unless incapable of self-care due to a mental or physical impairment.~~
- (b) ~~a "parent" is a biological, adopted or foster parent, stepparent, or person who had long-term, day to day care responsibility for the employee when the employee was a child whether or not any legal or biological relationship exists.~~

~~For purposes of military exigency and caregiver leave:~~

- (a) ~~a "child" is a biological, adopted or foster child, stepchild, legal ward, or child for whom the employee has or had long-term, day to day care responsibility, and who is of any age.~~
- (b) ~~a "parent" is a biological, adopted or foster parent, stepparent, or person who had long-term, day to day care responsibility for the employee when the~~

~~employee was a child.~~

For purposes of military exigency leave, a “**qualifying exigency**” is defined as:

- ~~(a) — any issue arising from a covered member of the armed forces being notified of a call or order to covered active duty seven or fewer days before the date of deployment. Leave for this purpose may be used within the seven days beginning with such notice;~~
- ~~(b) — any official ceremony, program, or event sponsored by the military related to a covered military member’s active duty or call to active duty status, or any official ceremony, program, or event sponsored by the military in the 90 days after the end of the member’s covered active duty status, such as an arrival ceremony or reintegration briefing;~~
- ~~(c) — family support or assistance programs and informational briefings sponsored or promoted by the military, a military service organization or the American Red Cross that are related to a covered military member’s active duty or call to active duty status;~~
- ~~(d) — arranging alternate childcare for a covered military member’s child if covered active duty or a call to active duty requires a change in childcare, or, providing urgent and immediate childcare to a covered military member’s child when the need for such care arises from the covered active duty or a call to active duty;~~
- ~~(e) — enrolling or transferring a covered military member’s child to a new school or day care if covered active duty or a call to active duty of that member requires such enrollment or transfer, and meeting with school or day care staff concerning a covered military member’s child if such meetings are necessary due to circumstances arising from the member’s covered active duty or call to active duty;~~
- ~~(f) — making financial and legal arrangements to address a covered military member’s absence on covered active duty or a call to active duty, or acting as the member’s representative before government agencies to obtain military service benefits while the member is on covered active duty or call to active duty and for 90 days after the end of the member’s covered active-duty status;~~
- ~~(g) — attending counseling for a covered military member, or that member’s child, if the need for counseling arises from covered active duty or a call to active duty. This counseling must be provided by a health care provider other than the employee’s own health care provider;~~
- ~~(h) — spending time with a covered military member on short term, temporary,~~

~~rest and recuperation leave during deployment. An employee may take five days of leave for this purpose for each rest and recuperation period;~~

- ~~(i) any issue arising from the death of a covered military member while on covered active duty status.~~
- ~~(j) another event not identified above arising from a covered military member's covered active duty or a call to active duty by voluntary agreement between us and the employee. For an event not identified above, we must agree that the event is a qualifying exigency and agree on the timing and duration of the necessary leave prior to the commencement of such leave.~~

~~For purposes of military caregiver leave:~~

~~(a) a "covered servicemember" is:~~

~~(1) a member of the armed forces, including a member of the National Guard or Reserves, who is (i) undergoing medical treatment, recuperation, or therapy, (ii) assigned to a military medical treatment facility as an outpatient or a command unit for members receiving outpatient care or (iii) otherwise on the temporary disability retired list for serious injury or illness. Members on the permanent disability retired list are not covered servicemembers.~~

~~(2) a veteran of the armed forces, including the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy and who served in the armed forces at any time in the five years preceding that treatment, recuperation, or therapy.~~

~~(b) a "serious injury or illness" to a member of the armed forces means an injury or illness incurred by the member in the line of duty on active duty in the armed forces (or that existed prior to active duty but was aggravated by service in the line of duty on active duty) that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating. A "serious injury or illness" to a veteran of the armed forces means a qualifying injury or illness incurred in the line of duty on active duty in the armed forces.~~

- ~~• (c) "next of kin" is one or more of a covered servicemember's blood relatives from just one of the following groups, in this order of preference: (1) a single blood relative designated by the servicemember as next of kin in writing, (2) any blood relative with legal custody of the servicemember, (3) brothers or sisters, (4) grandparents, (5) aunts or uncles, and (6) first cousins.~~

~~h.f. Amount of Leave. The amount of FMLA leave that an employee may take depends on the reason for the leave. For reasons other than military caregiver leave, an~~

employee may take up to a total of twelve (12) work weeks of FMLA leave in a single 12-month period. For qualifying exigency leave, certain additional time limits are noted above.

BHA uses the rolling backwards method for determining the twelve (12)-month period within which the twelve (12) work weeks of leave may be taken for reasons other than [military](#) caregiver leave. Under the rolling method, the twelve (12)-month period is measured backward from the date an employee uses any FMLA leave (except [military](#) caregiver leave).

Military caregiver leave, when combined with other FMLA-qualifying leave, is subject to different rules. ~~Caregiver-Military caregiver~~ leave may not exceed twenty-six (26) weeks in a single twelve (12)-month period. ~~Caregiver-Military caregiver~~ leave applies on a per-covered-service member, per-injury basis. This means that an eligible employee may take more than one period of twenty-six (26) work weeks for more than one covered service member or for a subsequent serious injury or illness of the same covered service member. The single twelve (12)-month period for [military](#) caregiver leave begins on the first day the eligible employee takes FMLA leave to care for a covered service member and ends twelve (12) months after that date. During this single twelve (12)-month period, an eligible employee is limited to a combined total of twenty-six (26) work weeks of leave for any FMLA-qualifying reason. Only twelve (12) of the twenty-six (26) weeks may be for an FMLA-qualifying reason other than [military](#) caregiver leave. If an employee is eligible for leave to care for more than one servicemember or because of more than one injury or illness to the same servicemember within the same single twelve (12)-month period, the employee is limited to a total of twenty-six (26) work weeks during that twelve (12)-month period. Any portion of the twenty-six (26) work weeks of leave remaining at the end of the single twelve (12)-month period is forfeited.

Servicemember FMLA runs concurrent with other leave entitlements provided under federal, state and local law. If leave to care for a covered servicemember is taken concurrently with leave for another FMLA-qualifying reason, the leave will first be designated as servicemember leave.

If an employee is certified as being unable to work because of a pregnancy-related disability, she may be entitled to leave for the period of the pregnancy related disability that does not count against the twelve (12) weeks of FMLA leave.

i.g. Special Rules if Both Spouses Work for BHA. If two employees are married to each other and both are eligible for FMLA leave, they may take a combined total of twelve (12) weeks of leave for the following FMLA-qualifying reasons:

- the birth of a child and bonding with the newborn child,
- the placement of a child with the employees for adoption or foster care and bonding with the newly placed child, and

- the care of a parent with a serious health condition.

~~j.h.~~ For the purposes of **military** caregiver leave, a husband and wife who are both employed by BHA and are both eligible for FMLA leave may take a combined total of twenty-six (26) work weeks of leave during the single twelve (12)-month period used to measure **military** caregiver leave.

~~k.i.~~ **Notice of Leave.** An employee must provide at least thirty (30) days advance notice before FMLA leave is to begin if the need for leave is foreseeable. If the need for leave is not foreseeable, or if leave is needed for a qualifying exigency, notice must be given as soon as practicable. If the leave was foreseeable and the employee does not provide thirty (30) days' advance notice, the employee should explain why such notice was not practicable. Failure to provide notice may be grounds for delay of leave. An employee seeking leave should submit the request using FMLA forms available from Human Resources.

~~When planning medical treatment, the employee should make a reasonable effort to schedule the treatment so as not to unduly disrupt BHA's operations, subject to the approval of their health care provider.~~

~~l. **Medical Certification.** If leave is requested for medical conditions, BHA will require completion of a medical certification form available from Human Resources. If leave is needed to care for a family member, BHA may also require completion of a form identifying the family relationship. Failure to provide requested certification, forms or other information in a timely manner may result in denial of leave until it is provided.~~

~~BHA may, at its expense, require an examination by a second health care provider if it reasonably doubts the original medical certification. If the second health care provider's opinion conflicts with the original medical certification, BHA may, at its expense, require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. BHA may require subsequent medical recertification. Failure to provide requested certification within fifteen (15) days, if such is practicable, may result in denial or delay of further leave until it is provided.~~

~~**Certification for Qualifying Exigency Leave.** If leave is requested for a qualifying exigency, the employee will be required to provide a copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty or called to active duty status in support of a contingency operation, and the dates of the active duty service. The employee will only need to provide this documentation once. The employee must also submit a completed certification form (WH-384) for each requested leave. The form is available from Human Resources.~~

~~m. **Certification for Caregiver Leave.** If leave is requested to care for a covered service member with a serious injury or illness, the employee will be required to submit a completed certification form. The form is available from Human Resources.~~

h.j. Reporting While on Leave. An employee who takes leave because of the employee's own serious health condition or to care for a covered family member must contact BHA as directed regarding the status of the condition and the employee's intention to return to work. In addition, the employee must give reasonable notice (within two (2) business days if feasible) if the dates of leave change, are extended, or if initially were unknown, when the employee receives information on the dates of the necessary leave.

e.k. Medical Recertification. BHA may request recertification of an employee's own serious health condition or the serious health condition of a family member at BHA's own expense. The need for recertification will depend on the duration of the medical condition. Recertification may also be requested if circumstances have changed significantly or if BHA receives information that casts doubt upon the stated reason for the absence or the continuing validity of the certification. An employee is obligated to participate and cooperate in the recertification process.

p.l. Medical and Other Benefits During FMLA Leave. You do not accrue sick leave, vacation or other benefits while on unpaid family, medical, military exigency or military caregiver leave. During any "paid" portion of leave (i.e., due to use of sick leave or annual leave), you will continue to accrue sick leave, vacation or other benefits to the same extent as if you were using sick or annual leave for another purpose.

BHA will continue to pay ~~our-its~~ share of your health care premiums during the leave whether the leave is paid or unpaid. ~~Employees must continue to pay their share to Payroll; failure to make timely payment could cause you to lose your health care coverage during your leave~~

If paid leave is substituted for FMLA, BHA will deduct the employee portion of the health plan premium as a regular payroll deduction. If FMLA leave is unpaid, the employee must pay their portion of the premium through direct reimbursement to BHA. Employees must continue to pay their share to Payroll; failure to make timely payment could cause you to lose your health care coverage during your leave.

Health care coverage will cease if the premium payment is more than thirty (30) days late. If the payment is more than fifteen (15) days late, BHA will send a letter notifying the employee. If the co-payment is not received within fifteen (15) days after the date of this letter, coverage may cease.

If an employee elects not to return to work for at least thirty (30) calendar days at the end of the leave period, the employee will be required to reimburse BHA for the cost of the health benefit premiums paid for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond the employee's control.

q.m. FMLA Leave is Unpaid. Leaves granted for FMLA

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purposes are unpaid. ~~BHA requires that An an~~ employee must use accrued paid time off (PTO) or compensatory time to the extent it is available during this leave period. However, if the leave is covered under workers' compensation or other benefits under BHA's health insurance plan, the employee must use accumulated PTO only for the purpose of satisfying any waiting period. Authorized absences that exceed an employee's accrued and available paid leave will be treated as leave without pay.

The substitution of paid leave for unpaid leave does not extend the maximum leave period. Further, in no case may the substitution of paid leave for unpaid leave result in an employee receiving more than 100% of the employee's wages.

~~f.n.~~ Intermittent or Reduced Schedule Leave. It may be medically necessary for some employees to take intermittent FMLA leave. In addition, military exigency leave may be taken on an intermittent or reduced schedule basis. BHA will work with the employee to arrange intermittent leave or a reduced work schedule for those reasons. Intermittent leave is not generally available for the birth of a child unless expressly approved in writing by BHA. If leave is unpaid, BHA will reduce the employee's salary based on the amount of time actually worked. In addition, while an employee is on an intermittent or reduced schedule leave, BHA may temporarily transfer the employee to an available alternative position which better accommodates the recurring leave and which has equivalent pay and benefits.

~~s.o.~~ Returning from Leave. An employee who takes leave (other than intermittent leave) for the employee's own serious health condition must provide BHA with a Return-to-Work Medical Certification form. The form is available from Human Resources. An employee who fails to provide the Return-to-Work Medical Certification Form may not be permitted to resume work until it is provided.

Under most circumstances, employees who return from a FMLA leave will be restored to their original, or an equivalent, position with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. In addition, an employee who does not return to work is not entitled to an accrual of seniority or employment benefits that may have occurred during a leave period.

~~t.p.~~ Extension of Leave. An employee who seeks an extension of leave beyond the twelve (12) week period because of their own serious medical condition must submit medical certification before the leave expires. The medical certification must demonstrate that the serious health condition has continued. BHA will review such requests on a case-by-case basis in order to determine whether a reasonable accommodation is available that would enable the employee to perform the essential functions of the position it can reasonably accommodate such a request without undue hardship. Reinstatement is not guaranteed to employees who extend leave beyond the FMLA maximums, and whether or not it is granted will depend upon the business needs of BHA and the specific circumstances.

If an employee fails to return at the end of FMLA leave without notifying BHA and providing appropriate documentation, the employee will be considered to have voluntarily resigned employment.

~~v.g. No Work While on Leave. While you are on FMLA leave, pursuant to BHA policy, you must notify BHA if you are will be working for another employer during the leave. While we understand that there may be some circumstances where such a practice is not inconsistent with your need for leave from BHA, if the outside employment contradicts the information FMLA certification regarding your ability to work, BHA will investigate the matter. If it is determined that you have provided false information to BHA related to your need for leave, BHA may take disciplinary action, up to and including termination. An employee who takes another job while on FMLA or any other authorized leave of absence will be considered to have resigned employment, unless the employee obtains written approval in advance from BHA.~~

~~v.r. State and Local Family and Medical Leave Laws and Other Other Leave under State, Federal, or local law or BHA Policies.~~ Where state or local family and medical leave laws offer more protections or benefits to an employee, the protections or benefits provided by such laws will apply. For example:

- If you are diagnosed with a disability that is unrelated to pregnancy but prevents you from performing the essential duties of your job, and if your doctor requires you to be on leave for more than 12 weeks, you may be eligible for an extended leave of absence under our Disability Accommodation policy. See that policy for additional information.
- If you are the spouse or registered domestic partner of a service member called to active duty, or if deployed, who is on leave during a military conflict, then if you regularly work 20 or more hours, you will be able to take up to fifteen days off per deployment (assuming you provide appropriate notice) even if you are not eligible for FMLA leave.
- A military leave of absence will be granted if an employee is absent to serve in the uniformed services of the United States. BHA will comply with Washington state law and federal law (as outlined in the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 U.S.C. § 4301 et seq., as amended) governing military leave.

A nonexempt employee may request to use accrued PTO while on military leave to supplement his or her military income.

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### 3. Washington Family Care Act.

In compliance with the Washington Family Care Act, as amended, an employee who has *available* paid time off may use that time for the following family care purposes:

- To care for a child of the employee with a health condition that requires treatment or supervision; or
- To care for a spouse, registered domestic partner, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency condition.

The Washington Family Care Act defines a “child” as a biological, adopted, or foster child, a stepchild, a legal ward, or a child of person standing in *loco parentis* who is: (a) under 18 years of age; or (b) 18 years of age or older and incapable of self-care because of a mental or physical disability that limits one or more activities of daily living.

A parent may use available paid time off when their child has a condition:

- requiring treatment or medication that the child cannot self-administer;
- when the child has a medical or mental health condition which would endanger the child's safety or recovery without the presence of a parent or guardian;
- or a condition warranting treatment or preventive health care such as physical, dental, optical or immunization services, when the parent must be present to authorize the treatment.

An employee may use available paid time off when a spouse, registered domestic partner, parent, parent-in-law, or grandparent has a serious or emergency health condition:

- demanding immediate attention;
- requiring an overnight stay in a hospital or other medical-care facility;
- resulting in a period of incapacity or treatment or recovery following inpatient care; or
- requiring continuing treatment under the care of a health care services provider that includes any period of incapacity to work or attend to regular daily activities.

An employee may not use paid time off for any purpose, including family care, until the applicable time has been accrued or earned and is otherwise available for the employee's use. An employee who takes leave for one of the above family care purposes must also comply with the terms of BHA's policies applicable to the leave (except for any terms relating to choice of leave). When paid leave is used for Family Care purposes, it will be considered an authorized absence from work.

#### **4. Pregnancy Disability Leave.**

BHA provides pregnancy disability leave to all female employees for the period of actual disability associated with pregnancy and childbirth. Pregnancy disability leave is treated the same as leave for any other short-term disability. Pregnancy disability leave is for the period of disability that is determined to be medically necessary, and not for child rearing after the disability ends. Like any other medical leave, BHA may require a medical certification to support a request for leave. At the conclusion of the leave the employee will be returned to the same position or one with the same pay, benefits and conditions of employment. Please consult the Executive Services Manager if you have questions. For eligible employees, FMLA leave is available in addition to pregnancy disability leave in order to bond with the baby.

BHA will accommodate nursing mothers with sufficient work shift modifications, [paid or unpaid break time as required by law](#), and private space to express milk.

## 5. Leave [and Safety Accommodations](#) for Victims of Domestic Violence, [Sexual Assault, Stalking and Hate Crimes](#) and their Family Members.

BHA has compassion for victims of domestic violence, sexual assault, ~~and~~ [stalking, and hate crimes](#). BHA embraces compliance with Washington law that allows victims to take time off from work to recover from or deal with the effects of domestic violence, sexual assault, and stalking, or to participate in criminal and civil justice processes. [BHA is also committed to partnering with employees who have experienced domestic violence, sexual assault, stalking and hate crimes to provide reasonable safety accommodations.](#)

[w.s. Permitted Purposes](#). An employee who is a victim of domestic violence, sexual assault, or stalking may take reasonable unpaid leave from work for any one of the following permitted purposes, [or others as defined by law](#):

- To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's family members, including civil or criminal legal proceedings.
- To seek medical treatment for physical or mental injuries.
- To attend to health care treatment for a victim who is the employee's family member.
- To obtain or assist a family member in obtaining services from a domestic violence shelter, rape crisis center, or other social services program.
- To obtain or assist a family member in obtaining mental health counseling.
- To relocate or participate in safety planning.

Family members may take unpaid leave to help the victim obtain treatment or seek help. "Family Member" includes:

- Spouse, registered domestic partner, parent, parent-in-law, grandparent, and child.
- A person with whom the employee has a dating relationship.

BHA may request verification of family relationship. If requested, family relationship may be determined by a birth certificate, court document, or other similar documentation such as a signed written statement from the employee.

While leave is unpaid, an employee may elect to use accrued paid time off while on leave. Leave may also be taken on an intermittent or reduced schedule basis.

[x-t. Notice Requirements](#). An employee must give as much advance notice of the need for leave under this policy as is possible. However, if the employee cannot do

so because of an emergency or unforeseen circumstance, the employee or the employee's designee must notify their supervisor of the need for leave no later than the end of the first day the employee takes the leave.

y-u. **Requests for Leave.** Leave requests must be supported with one or more of the following:

- A police report indicating the employee or employee's family member was a victim.
- A court order providing protection to the victim.
- Documentation from a healthcare provider, advocate, clergy, attorney, or other professional from whom the employee or family member sought assistance.
- An employee's signed written statement that the employee or the employee's family member is a victim and that leave was taken for a permitted purpose.

Consult the Executive Services Manager for further details about this policy.

#### **6. Washington Military Leave for Spouses and Registered Domestic Partners.**

During times of military conflict declared by the President or Congress, the spouse or registered domestic partner of a military family member may be eligible for unpaid leave. The employee must work an average of twenty (20) or more hours a week and must be the spouse or registered domestic partner of a member of the armed forces, National Guard or Reserves. An eligible employee may take up to fifteen (15) days of unpaid leave when the military spouse or registered domestic partner is notified of an impending call, or ordered to active duty, or has been deployed, or when the military spouse or registered domestic partner is on leave from deployment. While leave is unpaid, an employee may elect to use paid sick, vacation, or other accrued paid time off while on leave.

An employee must provide their supervisor with notice of an intent to take leave within five (5) business days of receiving official notice that the employee's spouse or registered domestic partner will be on a leave from deployment or of an impending call to active duty. Consult the Executive Services Manager for further details about this policy.

#### **7. Washington's Paid Family and Medical Leave Act**

Washington provides a paid leave program to employees who worked at least 820 hours in Washington in 4 of the past 5 quarters. The hours worked *do not* need to be for BHA or even the same employer for eligibility purposes.

Eligible employees are entitled to the following leave:

- **Family Leave:** An employee can take up to 12 weeks of paid family leave, which includes caring for a newborn or newly adopted child or a family member with a serious health condition. "Family member" includes a child, spouse, domestic partner, parent, parent-in-law, sibling, grandparent, or grandchild. "Family member" also includes any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person and that individual depends on the employee for care (however, it does not include an

individual who simply resides in the same home with no expectation that the employee care for the individual.) Employees can also take time to be with a family member injured in military service, or to deal with exigencies of military deployment.

- **Medical Leave:** An employee can take up to 12 weeks of paid medical leave, which can only be used for the employee's own serious health condition, with an additional 2 weeks available for pregnancy complications.
- **Combined Family and Medical Leave:** For combined family and medical leave (for example, medical leave due to birth of a child plus caring for a newborn), the total combined leave an employee can take in a year is 16 weeks, or 18 weeks if the leave includes a qualifying pregnancy-related complication.

**Waiting Period:** For all leaves except birth or placement of a child, there is a 7-day waiting period before an employee will be eligible for paid leave benefits.

**Leave Benefits:** To receive benefits under the state program, an employee must file a claim with the State's Employment Security Department (ESD), notify Human Resources of the request, and meet certain eligibility requirements. If ESD approves the application, ESD pays benefits for the duration of the leave of absence directly to the employee. The amount an employee receives is a percentage of the employee's weekly wages, up to \$1,000 per week.

**Leave is Job-Protected:** Family or medical leave under the program is protected, meaning BHA will return the employee to the same or comparable position at the end of the leave period, if the employee has ~~worked for BHA for at least 12 months and at least 1,250 hours in the preceding year.~~ met eligibility requirements defined in the law.

For more information, see <https://paidleave.wa.gov>.

## 8. Personal Leave.

Regular full-time employees may request an unpaid personal leave of absence for justifiable reasons (e.g., to care for an ill family member, serious illness, accidental injuries). Except in special circumstances, personal leave will usually not be granted to an employee who has not completed six months of service. Personal leaves are generally not considered or granted until all accrued paid time off has been exhausted. Medical certification may be required for personal leave due to illness, disability, or maternity.

Requests for personal leaves of absence will be considered at the sole discretion of the Executive Director/CEO. The decision to approve or deny a request will be based on the circumstances, length of time requested, the employee's job performance, the employee's attendance and punctuality record, reasons for the leave, the effect the

employee's absence will have on the business, and the expectation that the employee will return to work when the leave expires.

Disability leave is a leave of absence that may be granted to an employee who is unable to perform the essential functions of their position — with or without reasonable accommodation — because of their own medical condition. If you are unable to perform the essential functions of your job due to a medical condition, even with a workplace modification, the appropriate accommodation may be a leave of absence from work. In these circumstances, BHA will evaluate such requests for a leave of absence in accordance with applicable laws. In the case of disabilities that qualify for protection under federal, state or local disability-discrimination laws, however, we will provide periods of leave if we conclude that doing so is required in order for us to provide reasonable accommodation, unless we conclude this leave would impose an undue hardship on our business.

During leave, employees are expected to keep their supervisors apprised of the status of their condition and any changes in their anticipated date of return.

#### A. OTHER LEAVE

**1. Bereavement.** We provide regular, full-time and part-time employees with paid bereavement leave for up to three (3) days in the event of the death of a spouse, registered domestic partner, child, parent, sibling, grandparent, grandchild, or corresponding in-laws or “step” or “foster” relations or anyone living with the employee, and up to one (1) full day of bereavement leave in the event of the death of any other relative. An additional three (3) days bereavement leave may be granted when it is necessary for the employee to travel outside the State of Washington.

In the event of the death of a friend, four (4) hours of paid funeral leave will be granted.

**2. Jury Duty.** We provide all employees paid leave for two weeks of jury duty service. Payment provided by the courts during periods of paid jury duty leave must be paid over to BHA, excluding expense reimbursements, such as mileage. You must provide your supervisor with a copy of the jury duty summons as soon as possible after receiving it. If excused early from jury service employees are expected to call-in/report to work. Upon completion of jury duty, you are required to provide your supervisor with proof of jury service.

**3. Witness Duty.** All employees summoned to testify in court are allowed time off for the period they serve as witnesses. The time off will be paid if the employee is testifying upon request of BHA; in all other situations, the time off will be unpaid, but employees may request to use accrued leave in accordance with BHA leave policies.

**4. Military Service.** We provide leave to all employees performing military service in accordance with federal and state law. Compensation during leave for military service will be determined in accordance with state and federal law. Military service includes active military duty and Reserve or National Guard training. You are required to provide

your supervisor with copies of your military orders as soon as possible after they are received. Reinstatement upon return from military service will be determined in accordance with applicable federal and state law.

## VIII. COMMUNICATION

### A. JOB COUNSELING

If you want to talk about other job prospects within BHA, you may arrange for a counseling discussion with the Executive Services Manager. The discussion will not jeopardize your employment with BHA.

### B. GRIEVANCES

Honest differences of opinion regarding working conditions or other matters, including discipline with termination of employment, will arise from time to time. When problems arise, we encourage you first to bring them to your supervisor's attention, or to the attention of the Executive Services Manager if your supervisor is part of the problem or is otherwise unable to assist you. ~~Most Many~~ work-related problems can ~~and should~~ be resolved informally by the supervisor or Executive Services Manager.

Nevertheless, we recognize that not all problems can be remedied on this informal basis. The following more formal procedure is available to address more difficult issues.

All employees who have completed six months of service may appeal corrective actions or proposed disciplinary actions in writing directly to the Executive Director/CEO. Appeals must be submitted in writing not later than the tenth (10<sup>th</sup>) working day following receipt by the employee of written notice that disciplinary action has been taken or recommended. Appeals must specify the action desired by the employee (e.g., reduction to less severe disciplinary or corrective action), the reasons the employee feels the recommended action is not warranted, and available information to refute or explain the alleged violations. Within ten (10) working days of receipt of the written appeal, the Executive Director/CEO will respond or will defer final action for a period not to exceed twenty (20) working days to further investigate the corrective or proposed disciplinary action.

### C. BULLETIN BOARDS

We have bulletin boards for posting government notices and various [BHA official](#) announcements and memoranda. ~~If an employee would like to post something on a bulletin board, please contact the Executive Services Manager.~~

### D. CONTACTS WITH INVESTIGATORS

There are times when BHA is the subject of a lawsuit, or a third-party is considering whether to bring a claim against BHA. As a BHA employee, you may be contacted for information to help the third-party's case. You have the right to decline to speak to any third-party (e.g., a private investigator, attorney, or paralegal) about anything related to BHA, unless and until you are served with a subpoena requiring your testimony. Whether or not you speak to a third party voluntarily is your decision. We would appreciate you notifying the Executive Services Manager if you are contacted by a third-party seeking information about BHA. If

you have any questions about this policy, contact the Executive Services Manager.

## E. CONTACTS WITH THE MEDIA

BHA will respond to new media in a timely and professional manner and only through the designated spokespersons, generally the Executive Director/CEO. The Agency strives to anticipate and manage crisis situations in order to reduce disruption to our employees and to maintain our reputation as a high-quality agency. To best serve these objectives, any contact from a reporter (television, radio, newspaper, etc.) concerning the operations of BHA or its staff should promptly be referred to the Executive Director/CEO.

Should an emergency arise, and you have occasion to talk to a reporter concerning operations of BHA or its personnel, you should adhere to the following media policy: Answer all media/reporter questions as follows: "I am not authorized to comment for the employer. Let me have our public affairs office contact you," and notify your supervisor and the Executive Director/CEO immediately.

## IX. Information Technology and Data Security Policy

### 1. Purpose and Scope

This policy establishes guidelines for the secure and appropriate use of all Information Technology Resources (ITR) owned, leased, or otherwise utilized by BHA. This includes, but is not limited to, hardware, software, networks, data, and communication systems (e.g., computers, mobile devices, email, internet, cloud services). This policy applies to all employees, contractors, volunteers, and any third parties accessing BHA's ITR. The primary objectives are to:

- Protect the confidentiality, integrity, and availability of BHA's data and systems.
- Ensure compliance with relevant laws, regulations, and industry standards.
- Minimize risks associated with cyber threats, data breaches, and data loss.
- Promote a culture of security awareness and data protection among all users.

### 2. Definitions

- **Information Technology Resources (ITR):** All computing devices (desktop, laptop, mobile), software, network infrastructure, data storage, communication systems (email, voice, video), and any other technology assets used for BHA business.
- **Confidential Information:** Any non-public information that, if disclosed, could cause harm to BHA, its employees, clients, or partners. This includes, but is not limited to, personal identifiable information (PII), financial data, proprietary business strategies, and legal documents.
- **Data Breach:** An incident involving unauthorized access, acquisition, use, or disclosure of sensitive or confidential data.
- **Multi-Factor Authentication (MFA):** A security system that requires more than one method of authentication from independent categories of credentials to verify the user's identity.
- **Cybersecurity:** The practice of protecting systems, networks, and programs from digital attacks. These cyberattacks are usually aimed at accessing, changing, or destroying sensitive information; extorting money from users; or interrupting normal business processes.

- **Data Loss Prevention (DLP):** A set of tools and processes used to ensure that sensitive data is not lost, misused, or accessed by unauthorized users.

### **3. Acceptable Use of Information Technology Resources**

#### **3.1 Business Use Primary**

BHA's ITR are provided primarily for the performance of official BHA business. Employees are encouraged to make maximum use of ITR to accomplish their assigned duties efficiently and effectively.

#### **3.2 Limited Personal Use**

Minimal and occasional personal use of BHA's ITR is permitted, if such use meets all of the following criteria:

- Is brief and does not disrupt or distract from BHA business, employee productivity, or system performance.
- Occurs during non-working time (e.g., breaks, lunch, before/after work).
- Incurs minimal or no cost to BHA.
- Does not compromise the security, integrity, or confidentiality of BHA information or systems.
- Does not involve any prohibited activities as outlined in Section 3.3.
- Employees who are not sure if their personal use is permissible should seek clarification and/or approval from their supervisor

#### **3.3 Prohibited Uses**

The following uses of BHA ITR are strictly prohibited:

- **Commercial or Personal Gain:** Use for an employee's private or commercial business, benefit, or gain, unless specifically authorized.
- **Unauthorized Software/Hardware:** Installation, use, or connection of any unauthorized software, hardware, or external devices (e.g., personal laptops, USB drives) to BHA networks or systems without explicit approval from the Director of IT.
- **Illegal or Unethical Activities:** Engaging in any activities that are illegal, unethical, or violate BHA policies, including but not limited to:
  - Accessing, creating, storing, or transmitting offensive, harassing, discriminatory, or sexually explicit content.
  - Intentional distribution of unsolicited advertising (spam).
  - Propagation of malware, viruses, worms, ransomware, or any other malicious code.
  - Unauthorized entry or attempted entry to any other machine, network, or system accessible via BHA's network.
  - Retrieving private and/or confidential information or resources without express permission from the owners or rights holders.
- **Security Violations:** Any action that compromises or attempts to compromise the security or integrity of BHA's ITR, including:
  - Sharing or disclosing passwords or authentication credentials.
  - Attempting to bypass security controls or access unauthorized data.
  - Misrepresenting user identity or communicating as someone other than the authorized user.
  - Unauthorized review, duplication, encryption (without authorization), interception, dissemination, removal, installation, damage, or alteration of files, passwords, computer systems, or programs.

- Improper or careless handling of confidential information obtained from ITR, leading to potential data loss.
- **Network Degradation:** Activities that degrade or "dilute" network bandwidth, such as streaming unauthorized audio/video or web services that cause slowdowns on BHA's network.
- **Gaming:** Playing games on BHA's computers and other technical resources.
- **Political/Religious/Union Activities:** Promoting or soliciting for political causes, religious causes, or non-authorized union activities (refer to labor agreements for specific guidelines regarding union communications).
- **Unauthorized Charities/Organizations:** Support for outside organizations or charities unless permitted by law and specifically authorized by the Executive Director/CEO.

#### **4. Data Security and Protection**

##### **4.1 Data Ownership and Privacy**

All data and information created, transmitted, or stored on BHA's ITR are the property of BHA. Users should have no expectation of privacy regarding their use of BHA's ITR. All ITR information is subject to search by BHA, public disclosure, state audit, and record retention requirements.

##### **4.2 Data Loss Prevention (DLP):**

BHA will utilize DLP measures and technologies to prevent unauthorized transmission, storage, or exfiltration of sensitive data outside of approved channels and systems. This includes monitoring and blocking attempts to transfer confidential information via email, cloud storage, USB drives, or other unauthorized methods.

##### **4.3 Access Control and Authentication**

- **Unique User IDs:** All users will be assigned unique user IDs for accessing BHA systems.
- **Strong Passwords:** Employees must create and maintain strong, complex passwords that meet the following requirements:
  - Minimum length of 12 characters.
  - Contain characters from at least three of the following four categories: English uppercase characters (A-Z), English lowercase characters (a-z), Base 10 digits (0-9), non-alphabetic characters (e.g., !, \$, #, %).
  - Will not contain the user's account name or parts of the user's full name that exceed two consecutive characters.
  - Passwords must be changed every 90 days.
  - A history of at least 4 non-recurrent passwords will be enforced.
- **Multi-Factor Authentication (MFA):** MFA is mandatory for accessing all critical BHA systems, cloud services, and remote access.
- **Account Lockout:** Systems will implement account lockout policies after a specified number of failed login attempts to prevent brute-force attacks.
- **Least Privilege:** Users will be granted access only to the systems and data necessary to perform their job functions, minimizing potential exposure in case of a compromise.

##### **4.4 Data Backup and Recovery**

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BHA will implement robust data backup and recovery procedures to ensure business continuity and data availability in the event of system failures, data loss, cyberattacks (e.g., ransomware), or disaster. Regular testing of backup and recovery processes will be conducted to verify their effectiveness. Backups will be stored securely, often off-site, and isolated from the primary network to prevent compromise.

#### **4.5 Data Retention and Disposal**

BHA will adhere to established data retention schedules for all information, complying with legal and regulatory requirements. Data no longer required for business or legal purposes will be securely disposed of in accordance with BHA's data disposal procedures, ensuring that sensitive information cannot be recovered. This includes secure wiping of hard drives and physical destruction of media when appropriate.

### **5. System and Network Security**

#### **5.1 Software Management and Updates**

- **Authorized Software:** Only software approved by the Director of IT or their delegate may be installed or used on BHA ITR.
- **Software Review:** The Director of IT will review proposed software to ensure compatibility, supportability, manageability, and compliance with licensing and copyright laws, as well as to assess potential security vulnerabilities.
- **Patch Management:** All BHA systems and software will be regularly updated with the latest security patches and vulnerability fixes in a timely manner to protect against known exploits. Critical patches will be applied immediately.
- **Immediate Removal:** The Director of IT or their delegate reserves the right to immediately remove any software installed on BHA computers that does not conform to this policy or poses a security risk.

#### **5.2 Antivirus and Anti-Malware**

All BHA ITR will be protected by approved enterprise-grade antivirus and anti-malware software, which will be kept up to date with the latest threat definitions and configured for continuous monitoring and regular scans. This includes protection against ransomware and other advanced persistent threats.

#### **5.3 Network Security**

BHA will implement comprehensive network security measures, including firewalls, intrusion detection/prevention systems (IDS/IPS), Security Information and Event Management (SIEM) systems, and secure network configurations, to protect against unauthorized access, cyber threats, and internal misuse. Network segmentation will be employed to isolate critical systems and data.

#### **5.4 Wireless Network Usage**

Connecting personal electronic devices to BHA's wireless network (including, but not limited to, laptops, smartphones, PDAs) is prohibited unless explicitly authorized by BHA. All authorized wireless access will utilize secure authentication and encryption protocols.

### **6. Email and Communication Security**

#### **6.1 Email for Business Use**

BHA's electronic mail system is primarily for official business. Non-business messages may be sent during non-working time, subject to the limited personal use guidelines.

#### **6.2 No Expectation of Privacy**

BHA's email and electronic communication systems are not private or confidential. All messages are BHA records and are the property of BHA. Management reserves the right to read, use, and disclose email messages and electronic documents for business, legal, or investigative purposes, including cybersecurity incident response. Even after deletion, messages may be retrievable.

### **6.3 Professional Conduct**

Employees must maintain a civil and professional tone in all electronic communications. Content must be appropriate to the business setting and consistent with BHA's policies prohibiting discrimination and harassment.

### **6.4 Phishing and Malicious Emails**

Employees must exercise extreme caution with unsolicited emails, suspicious links, or attachments. Do not open attachments or click on links from unknown senders. Report any suspicious emails to the IT Department immediately. BHA will deploy email security solutions to filter and identify malicious emails, but user vigilance remains paramount.

## **7. Remote Work and Mobile Device Security**

### **7.1 Remote Access**

Remote access to BHA networks and systems is permitted only through approved secure methods and on BHA-owned or approved devices.

### **7.2 Mobile Device Security**

- All BHA-issued mobile devices must be protected with strong passwords/PINs, enabled with remote wipe capabilities, and configured with mobile device management (MDM) software to enforce security policies.
- Employees must avoid connecting BHA devices to unsecured public Wi-Fi networks.

## **8. Incident Response and Reporting**

### **8.1 Incident Reporting**

All employees have a responsibility to report any suspected security incidents, data breaches, or policy violations immediately to the IT Department or their supervisor. This includes, but is not limited to:

- Lost or stolen BHA equipment (laptops, mobile phones).
- Suspicious emails, phishing attempts, or ransomware demands.
- Unauthorized access to systems or data.
- Discovery of malware or viruses.
- Any unusual system behavior or performance issues that might indicate a security compromise.

### **9. Auditing and Monitoring**

BHA reserves the right to audit and monitor all ITR use and information at any time to ensure compliance with policies, investigate questionable activities, evaluate performance, and identify system issues. Audits will be conducted in a manner that safeguards confidential, privileged, or private employee or citizen information as defined by applicable laws. Passwords do not imply complete privacy.

## **10. Training and Awareness**

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BHA will provide regular and mandatory security awareness training to all employees to educate them on their responsibilities regarding data security, cybersecurity threats (e.g., phishing, social engineering), password best practices, data handling procedures, and other relevant security topics. Training will be updated periodically to reflect new threats and best practices.

**11. Policy Enforcement and Discipline**

Violations of this policy will be reviewed on a case-by-case basis and may result in disciplinary action, up to and including termination of employment, in accordance with labor agreements or BHA policy. Illegal activities will be reported to the appropriate law enforcement authorities.

**12. Policy Review**

This policy will be reviewed periodically by the Director of IT and Executive Management to ensure its continued relevance, effectiveness, and compliance with evolving security landscapes, regulatory requirements, and industry best practices.

## ~~IX. COMPUTERS AND INFORMATION TECHNOLOGY RESOURCES~~

~~This policy applies to all information technology resources owned or leased by BHA, used on or accessed from BHA premises, and/or used for BHA business. This policy also applies to all information technology activities using any technical services such as: computers, internet, e mail, intranet, phone system, and other information technology equipment and resources.~~

~~Information Technology Resources (ITR) are defined as any and all desktop and portable computing devices, software, fax machines, network data resources, internet access, copy machines, telephones, cell phones, smart phones, pagers and voice mail, electronic mail, information and data in the ITR system.~~

### ~~A. EMPLOYEES USE ITR FOR BHA BUSINESS PURPOSES~~

~~BHA encourages employees to make maximum use of ITR for accomplishing the business of BHA.~~

~~ITR are provided to employees for use in the performance of their work. The equipment and data remain at all times the property of the BHA. ITR information is not private. ITR information is subject to search by BHA, public disclosure, state audit and record retention requirements.~~

### ~~B. EMPLOYEES MAY USE ITR FOR MINIMAL PERSONAL OR NON-BUSINESS PURPOSES~~

~~Prohibited uses of BHA ITR include:~~

- ~~• Use for an employee's private or commercial business, benefit, or gain.~~
- ~~• Playing games on BHA's computers and other technical resources.~~
- ~~• Use for union activities unless specifically authorized by a labor agreement. This does not prohibit a Bargaining Unit employee from calling or e-mailing union staff regarding legitimate workplace issues concerning the union, as long as the communications do not interfere with the employee's productivity.~~
- ~~• Employee promoting or soliciting for any non-BHA business or activities, including:
  - ~~○ Commercial activities.~~
  - ~~○ Religious causes.~~
  - ~~○ Political causes and campaigns, including federal or state legislative proposals or ballot measures.~~
  - ~~○ Support for outside organizations, other than a union, or charities, unless~~~~

~~permitted by law and authorized specifically by the Executive Director/CEO, such as United Way.~~

- ~~Other personal causes or activities not related to BHA business.~~
- ~~Using ITR for any offensive content as defined in the Manual, Section II, Part D "Harassment, Including Sexual Harassment."~~

~~Employee will confer with the Director of IT in order to delete and/or prevent unwanted solicitations.~~

~~Employees may make minimal (occasional but limited) personal use of ITR if all of the following conditions are met:~~

- ~~The use is brief and does not disrupt or distract from BHA business due to volume, frequency, or timing.~~
- ~~The use is on the employee's own time (breaks, lunch, before and after work), not work time.~~
- ~~The use does not interfere with the performance of the employee's official duties.~~
- ~~There is minimal cost to BHA.~~
- ~~The use does not compromise the security or integrity of BHA information or software.~~

~~If the permissibility of use is unclear, the employee must request supervisory approval before using the ITR.~~

### **~~C. E-MAIL~~**

~~E-Mail Is for Business Use. BHA's electronic mail system is primarily for official business. Non-business messages may be sent during non-working time.~~

~~E-Mail Is Not Private. BHA expects employees to honor the password protection system and not to read other people's e-mail. Everyone should understand, though, that e-mail is not private or confidential. Any message sent can be forwarded on to anyone else on the system. Even after e-mail has been deleted, it can still be possible to retrieve it and read it. Also, all messages are BHA records and are the property of BHA. Management reserves the right to read, use and disclose e-mail messages. For these reasons, the e-mail system shouldn't be used for any information considered personal or private.~~

~~E-mail Decorum and Content. When employees use the e-mail system, they should keep in mind they are using BHA property. All e-mail and electronic documents, including text messages are not private and are subject to public disclosure and/or audit. As a result, comments must be appropriate to the business setting. Please take special care to use a civil and professional tone in electronic communications and avoid jokes or comments that would be inconsistent with our policies prohibiting discrimination and harassment (for instance, jokes aimed at a particular gender, race, religion, disability, or sexual orientation).~~

#### ~~D. BHA RESERVES THE RIGHT TO AUDIT EMPLOYEE USE~~

~~BHA reserves the right to audit ITR use or information at any time in order to ensure compliance with policies, to investigate questionable activities that could be harmful to the organization, to assist departments in evaluating performance, productivity, or cost issues and concerns and to identify ITR system issues.~~

~~BHA will audit in a manner to safeguard confidential, privileged, or private employee or citizen information contained in the system as defined by laws regulating public disclosure. Passwords do not imply complete privacy.~~

#### ~~E. DIRECTOR OF IT IMPLEMENTS SECURITY MEASURES FOR ITR USE~~

~~The Director of IT develops and implements policies and procedures for maintaining the security of ITR.~~

~~In implementing and monitoring use of ITR, the Executive Department's authorized personnel may override any applicable passwords or codes to inspect, investigate, or search an employee's files and messages.~~

~~The Executive Department requires employees to disclose their password to any specifically authorized Executive Department employee upon request.~~

#### ~~F. BHA REQUIRES AUTHORIZATION FOR SPECIALIZED ITR USE~~

~~BHA requires approval from the Department Head or a designee and/or the Director of IT for use of other than assigned hardware, software and data files.~~

~~Non-BHA employees use ITR only if engaged by the BHA to perform BHA business, whether volunteer or paid; and authorized by the Department Head or a delegate and/or the Director of IT to use ITR for this purpose.~~

~~Employees are not allowed to remove any BHA computer or computer equipment, including laptops, from BHA premises without express permission from the Executive Director/CEO. This includes taking a BHA computer home to perform BHA-related work. If an employee is provided permission by the Executive Director/CEO to take a BHA computer home or off BHA premises to perform BHA work, non-exempt employees will be required to document the amount of time spent working on the computer away from~~

~~BHA, including the amount of time spent performing BHA-related business and any personal use of the computer.~~

### ~~G. EMPLOYEES/USERS PROTECT CONFIDENTIAL INFORMATION~~

~~Employees must use ITR to protect confidential BHA business information transmitted or stored in the system. Employees are advised to use passwords to protect files, access new voice mail or e-mail in private, close confidential screens before leaving workstations and use the following heading to identify work-related, confidential BHA documents: "Confidential and/or privileged."~~

### ~~H. EMPLOYEES FOLLOW SECURITY PROCEDURES~~

~~In using ITR, employees follow the security procedures below:~~

- ~~• Always immediately report any suspected data breach or other cybersecurity breach (e.g., phishing, malware, etc.)~~
- ~~• Never provide a password to anyone outside BHA.~~
- ~~• Never access any ITR using another employee's password, except that a department head may authorize or direct disclosure and use of an employee's password by another employee in situations deemed a business necessity.~~
- ~~• Never encrypt voice mail, email, or any other files or data stored or exchanged on BHA systems either by password or some other form of encryption unless with express approval of department head or a delegate. Confidential and/or privileged documents are an exception.~~

~~BHA enforces the following password best practices:-~~

- ~~• Password history: 4 non-recurrent passwords.~~
- ~~• Maximum password age: maximum password age of 90 days.~~
- ~~• Minimum password length: minimum password length of 7 characters.~~
- ~~• Passwords and complexity requirements:
  - ~~◦ Will not contain the user's account name or parts of the user's full name that exceed two consecutive characters~~
  - ~~◦ Be at least six characters in length~~
  - ~~◦ Contain characters from three of the following four categories:~~~~

- English uppercase characters (A through Z)
- English lowercase characters (a through z)
- Base 10 digits (0 through 9)
- Non-alphabetic characters (e.g., !, \$, #, %)

Complexity requirements are enforced when passwords are changed or created.

#### **~~I. EMPLOYEES WILL NOT MISUSE ITR~~**

~~BHA prohibits misuse of ITR, including but not limited to:~~

- ~~● Use which interferes with employee productivity of self or others.~~
- ~~● Use which interferes with the operation of BHA's information technology resources.~~
- ~~● Masking user's identity or misrepresenting information and/or communicating as someone other than user.~~
- ~~● Unauthorized use of another employee's password.~~
- ~~● The access of libraries, files, data, programs, and directories that are not related directly to work duties or which the employee is not authorized to access.~~
- ~~● Unauthorized review, duplication, encryption, interception, dissemination, removal, installation, damage, or alteration of files, passwords, computer systems or programs, or other property of BHA.~~
- ~~● Improper and or careless use of information obtained from ITR.~~
- ~~● Use of personal software on BHA's ITR without authorization.~~
- ~~● Copying BHA software for personal use.~~
- ~~● Connecting personal electronic devices to BHA's wireless network including, but not limited to, laptops, smart phones, PDAs, Blackberrys, etc.~~
- ~~● Degrading or "diluting" bandwidth by streaming nonauthorized audio, video or web services that serve to cause slowdowns on BHA's wireless network.~~

#### **~~J. DIRECTOR OF IT APPROVES ALL SOFTWARE~~**

~~The Director of IT or a delegate approves all software used on BHA ITR. Employees must request prior approval from the Director of IT or a delegate to install any software on any ITR.~~

~~The Director of IT or a delegate will review the proposed software to ensure it:~~

- ~~Is compatible with business use.~~
- ~~Can be adequately supported.~~
- ~~Can be managed on the BHA systems.~~
- ~~Does not introduce computer viruses.~~
- ~~Meets its obligations under any applicable software licenses and copyright laws.~~

~~The Director of IT or a delegate may immediately remove software installed on BHA computers that does not conform to this policy.~~

#### **~~K. BHA COMPLIES WITH SOFTWARE LICENSING REQUIREMENTS~~**

~~The Director of IT or a designee only installs and uses software on the BHA's computer systems:~~

- ~~When registered through the procedure above, and,~~
- ~~As licensed or authorized by the software's publisher.~~

#### **~~L. BHA PROVIDES INTERNET FOR BUSINESS USE~~**

~~The Executive Director/CEO, or a designee, assigns all IT uses to employees. Resources provided will be appropriate and necessary for the employee's assigned duties.~~

~~The Executive Director/CEO authorizes Internet access to:~~

- ~~Employees who need this informational tool for carrying out their work.~~
- ~~Encourage employees to make full use of the internet for this purpose.~~
- ~~Websites that are approved by the Department Head or a designee.~~

~~Employees must use Internet in accordance with policy. Unacceptable uses include:~~

- ~~Intentional distribution of unsolicited advertising.~~
- ~~Intentional propagation of computer worms and viruses.~~
- ~~Using the network to make unauthorized entry to any other machine accessible via the network.~~
- ~~Using BHA Internet access to retrieve private and/or confidential information or resources unless express permission has been granted by the owners or holders~~

~~of rights to these resources or information.~~

**M. BHA DISCIPLINES VIOLATORS**

~~BHA will review violations of this policy on a case by case basis and discipline in accordance with labor agreement or policy, up to and including termination.~~

## ~~X~~ X SAFETY AND HEALTH

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### **A. MEDICAL EXAMINATIONS**

After an employee starts work at BHA, BHA may require a medical examination or inquiry of an employee when it is deemed by BHA to be job-related and justified by business necessity. This may include when there is evidence of a job performance or safety problem, examinations required by Federal laws, or examinations to determine current fitness to perform a particular job. Information from all medical examinations and inquiries will be maintained as confidential medical records separate from the general personnel file and available only under limited conditions.

In addition, consistent with the requirements of state and federal law, employees whom we reasonably suspect to have violated BHA's drug and alcohol policy may be subject to drug and or alcohol testing. Refusal to consent to testing, non-cooperation or tampering with a test sample shall constitute a violation of this policy. A positive result from a test administered pursuant to this or any other provision in this policy will generally be verified in accordance with standard laboratory confirmation methodology.

These examinations will be conducted at times we specify and will be paid by us.

### **B. ACCIDENTS**

No matter how insignificant an injury may seem at the time, employees must notify their department director or the Executive Services Manager as soon as reasonably possible if they suffer any injury while on the job. The director or manager will report the accident to the Executive Director/CEO.

### **C. WORKPLACE VIOLENCE PREVENTION**

BHA has a "zero tolerance for violence" policy. If an employee displays or threatens violence in the workplace or to a tenant, the employee will be subject to immediate termination. No comments regarding violence or joking about violence will be tolerated.

BHA defines "violence" to include physically harming another, shoving, pushing, harassment, intimidation, coercion, brandishing weapons and threats or talk of violence. The possession of weapons including knives, firearms or dangerous substances is prohibited. Such actions or behaviors by any employee on company property, or any other place while representing BHA, will be cause for disciplinary action up to and including immediate termination.

BHA strives to provide a safe environment for employees, tenants, customers and visitors. Access to all BHA property is limited to those with a legitimate business interest.

Employees should report any incident that may involve a violation of facility policies that are designed to provide a comfortable and non-violent workplace environment. Concerns may be presented to the supervisor, the supervisor's supervisor, the Executive Services

Manager, or the Executive Director/CEO.

As an additional protective measure, if you have obtained, or are subject to, an Order for Victim Protection that includes BHA as your workplace, immediately provide a copy of the order to Human Resources or your supervisor. Orders for Victim Protection include the following types of court orders – protection order, no contact order, restraining order and anti-harassment order.

#### **D. WEAPONS**

Employees are prohibited from carrying, possessing, using a weapon while on duty or storing a weapon on BHA property. Employees are also prohibited from carrying a weapon while in the course and scope of performing their job for BHA, whether or not they are on BHA property at the time and whether or not they are licensed to carry a weapon. BHA property covered by this policy includes, without limitation, all BHA property, parking areas, and facilities owned or leased or under BHA management and also BHA vehicles.

Prohibited weapons include, but are not limited to: firearms, knives, swords, poisons and any form of explosive restricted or regulated under local, state or federal law. Legal chemical dispensing devices such as pepper sprays that are sold commercially for personal protection and smaller Swiss-Army type or “tool kit” knives are not covered by this policy. If you have a question about whether an item is covered by this policy, please contact the Executive Services Manager. You will be held responsible for making sure that any potentially covered item you possess is not prohibited by this policy. The only exceptions to this policy are police officers, security guards or other persons who have been given written consent by the Executive Director/designee to carry a weapon on the property.

#### **E. SAFETY**

BHA is committed to providing a safe and healthful work environment. More specifically, BHA's goal is to minimize the exposure of employees, residents, and the public to health and safety risks. Accordingly, BHA makes every effort to comply with relevant federal and state occupational health and safety laws and to develop operations, procedures, practices and programs that further this goal. All BHA employees are expected to work diligently to maintain safe and healthful work conditions and to adhere to proper operating practices and procedures designed to prevent injuries and illnesses.

The responsibilities of all employees in this regard include but are not limited to:

- Exercising care and good judgment at all times to prevent accidents and injuries.
- Reporting all accidents to supervisors regardless of whether an injury occurs and seeking first aid for all injuries, regardless of how minor.
- Reporting unsafe conditions, equipment, or practices to supervisors.

- Using required safety equipment at all times.
- Strictly adhering to all safety rules and regulations.

Notifying ~~their supervisor~~[HR](#), before the beginning of the workday, of any medication they are taking that may cause drowsiness or other side effects that could lead to injury to them, their coworkers or the public.

For more information on our safety-related policies and procedures, see our Accident Prevention and Safety Manual, a copy of which is provided to all employees upon hire. Copies are also available in the Maintenance Manager's office and in the Executive Services Manager's office.

## BELLINGHAM HOUSING AUTHORITY PERSONNEL MANUAL RECEIPT AND ACKNOWLEDGMENT

I have received a copy of the Personnel Manual ("Manual") for the Bellingham Housing Authority ("BHA") dated \_\_\_\_\_.

I understand my obligation to read and familiarize myself with the Manual and follow the policies in it.

I understand that this Manual

- REVOKES and supersedes any prior summaries or statements or representations of employment policies and procedures. However, it does not supersede the provisions of individual employment contracts signed by the Executive Director/CEO, BHA written resolutions, or state, federal or local law. In the event of conflict between any of these sources and this Manual, the terms and conditions of the employment contract, resolution or law shall control. [If any provision of this Manual is inconsistent with state, federal or local law, that provision alone is invalid, and the remainder of this Manual is in full force and effect.](#)
- IS an evolving document, which BHA expects to revise and update from time to time. BHA will keep me advised of changes in policies and procedures covered in this Manual. BHA policies and procedures, including the compensation and benefits BHA provides, are subject to changes and exceptions without advance notice, at BHA discretion. All decisions regarding the application or interpretation of BHA policies and procedures are also in BHA discretion. This applies to all of BHA policies and procedures, whether formal or informal, and whether or not contained in this Manual.
- IS NOT my only source of information on employment-related issues and that if I have additional questions, I should talk with my supervisor or the Executive Director/CEO.
- IS NOT a contract and IS NOT a set of promises of specific treatment in specific situations.
- DOES NOT guarantee continued employment. BHA hopes that the employment relationship will be ongoing and rewarding for me and BHA. However, employment is "at will" and may be terminated at any time, with or without reason, by either me or BHA unless I am governed by the terms of a collective bargaining agreement, [in which case, the terms of the collective bargaining agreement will apply.](#) Nothing in this Manual or that is said or written any place else should be construed as a promise of permanent employment, of employment for any particular length of time, of discharge only for cause, or of a right to any particular discipline or discharge procedures, unless the promise is in a written employment agreement signed by the Executive Director/CEO. No one has the authority to enter into any agreement for employment for a specified period of time, or to make any other representations or agreement inconsistent with this policy, unless it is in writing and signed by the Executive Director/CEO.

I will keep a copy of this receipt and acknowledgment for my records.

Employee Signature

Date

Print Employee Name: \_\_\_\_\_

## APPENDIX A

### DRUG- AND ALCOHOL-FREE WORKPLACE POLICY OF THE BELLINGHAM HOUSING AUTHORITY

(Revised September 2022)

#### 1. PURPOSE AND GOAL

Bellingham Housing Authority (“BHA”) recognizes that the state of an employee’s health affects their job performance. Use of alcohol or other controlled substances can cause decreased efficiency and increased risk of injury to the employee who is using [the substances](#), or to the employee’s coworkers and the public. The purpose of this statement is to identify BHA’s policies on the use of controlled substances, alcohol, and medicines in order to maintain a healthy and drug- and alcohol-free workplace for all employees. The goal is to ensure that individuals conducting business or representing BHA are in a condition [fit](#) to perform their duties safely, satisfactorily, and efficiently in the interest of their fellow workers, the public, and themselves.

This notice supplements, and does not replace, BHA’s Manual applicable to employees of BHA. It also does not alter the at-will employment status of any employee.

#### 2. COVERAGE AND APPLICABILITY

A. Any individual who conducts business on behalf of BHA is covered by this Drug and Alcohol-Free Workplace Policy. Coverage of this policy includes, but is not limited to, executive management, managers, supervisors, full-time employees, part-time employees, off-site employees, and interns (“covered individuals”).

B. All covered individuals must, as a condition of employment, contracting, or interning with BHA, abide by the terms of this policy.

C. BHA’s Drug- and Alcohol-Free Workplace Policy is intended to apply whenever a covered individual is conducting business for, or representing, BHA.

Therefore, this policy applies during all working hours, when covered individuals are conducting business or representing BHA, while covered individuals are on-call or while on paid stand-by, while covered individuals are on BHA-owned premises or premises operated by BHA, and at BHA-sanctioned events.

### 3. PROHIBITED BEHAVIOR

A. All covered individuals are prohibited from using, possessing, manufacturing, distributing, dispensing, or being under the influence of, or smelling of, any controlled substances or alcohol in the workplace, during working hours, while on BHA premises or while engaging in BHA business. This includes the presence of these substances in the body during working hours regardless of when they were consumed.

B. Employees may use, consume or be under the influence of prescription drugs while on the job when taken pursuant to a valid physician's order, or of over-the-counter drugs when taken as prescribed or directed. Such use, however, may not in any way impair the employee's ability to safely perform the employee's job or adversely affect the safety of the employee, other employees or clients. It is the employee's responsibility to be aware of the effects of any medication that the employee may be taking and to be alert for any evidence of impairment. If your use of medication may impair your ability to perform your job, please request to [use your accrued leave or take unpaid time off](#) ~~(or use sick or annual leave)~~ as a temporary accommodation.

### 4. VIOLATION OF POLICY

A. If BHA has a reasonable suspicion that a covered individual has violated any of the statements of this policy, BHA may take any of the following actions:

1. Disciplinary action including, but not limited to, suspension and/or immediate termination; or
2. Require the covered individual to submit to drug and/or alcohol testing on company time and expense at a laboratory or medical facility prescribed by BHA. Under no circumstances will the covered individual be allowed to drive himself or herself to and from the testing facility. A member of supervision/management must escort the covered individual.

Prior to being sent to a testing facility, the covered individual will be provided with an opportunity to explain their conduct. If the covered individual is a union member, the covered individual may request the presence of a union representative. The observations shall be recorded by the supervisor or Human Resource representative.

If the drug and alcohol test indicates the presence of drugs and/or alcohol in the covered individual's system, the time the covered individual spends between ~~his~~ release from the clinic and the receipt of a confirmed positive drug test will be treated as a [disciplinary suspension](#). Absent any other concurrent disciplinary action, the covered individual will be paid for all the time lost from work if the results of the drug and alcohol test are negative.

B. Report of test results will be on controlled substances and alcohol referred to in

this policy only. BHA will keep confidential all information and/or documentation regarding drug and alcohol testing and treatment, and observe all relevant federal and state laws and regulations concerning the confidentiality of information. Such information and/or documentation will be disclosed to only those having a business need to know.

C. Any covered individual who tests positive for alcohol or a controlled substance will be subject to discipline, up to and including termination ~~immediate termination~~.

D. Any of the following conduct by a covered individual ~~who refuses~~ refusing the screening or the test, ~~adulterates~~ adulterating, or ~~dilutes~~ diluting the specimen, ~~substitutes~~ substituting the specimen with that from another person or ~~send~~ ing an imposter, ~~will not refusing to~~ sign the required forms, or ~~refus~~ inges to cooperate in the testing process in such a way that prevents completion of the test. As such, this conduct is ~~is~~ subject to disciplinary action up to and including ~~immediate~~ termination.

E. If a covered individual is suspected of violating this policy, the employee may be asked to submit to a search or inspection. Searches can be conducted of lockers, desks, cabinets, workstations, BHA-owned vehicles, and BHA-owned equipment. BHA may release to any law enforcement agency any information it may have regarding criminal activities.

## 5. NOTIFICATION OF CONVICTION

A. Any covered individual convicted of any criminal drug statute violation occurring in the workplace, during working hours, or while engaged in BHA business, must notify the Executive Director/CEO or the Executive Director/CEO's designee no later than five (5) working days after such conviction. Within thirty (30) calendar days after receiving notice of the conviction, BHA will:

1. Take appropriate disciplinary action against such covered individual, up to and including dismissal; and/or
2. Require such covered individual to satisfactorily participate in drug abuse assistance or rehabilitation program approved for such purpose by a federal, state, or local health, law enforcement, or other appropriate agency.

## 6. POSITION ON ALCOHOL AND DRUG PROBLEMS

It is the intent of this policy that a covered individual suffering from chemical dependency not have job security and promotional opportunities jeopardized by a request for help provided that such a request is made prior to sending such individual for a test or disciplining such covered individual for a violation of this policy. Satisfactory job performance is still mandatory, and a covered individual has the primary responsibility for seeking help and maintaining a treatment program as prescribed by qualified professionals. A covered individual's entry into treatment does not negate or diminish BHA's right to discipline that employee for unsatisfactory performance or failure to

meet conditions of employment, including compliance with this policy.

## 7. INFORMATION AND REFERRAL

A. Information will be available on public or private drug counseling, rehabilitation, and covered individual assistance programs upon the request of any covered individual. The Executive Director/CEO will from time to time designate the covered individual who will be able to provide such information.

B. The Executive Director/CEO or his designee will establish an education drug-free awareness program to educate covered individuals on substance abuse. Such program will include:

1. Management and supervisory training;
2. Dangers of workplace substance abuse;
3. Information concerning available drug counseling or rehabilitative counseling alternatives;
4. Penalties for drug abuse violations.

## 8. NOTIFICATION TO COVERED INDIVIDUALS

This policy will be posted and will be distributed to all new covered individuals.

## 9. DEFINITIONS

A. "Alcohol" means any liquid that may be legally sold and consumed and has an alcoholic content in excess of one-half of one percent by volume.

B. "Controlled Substance" means a substance listed in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as defined in Chapter 69.50 RCW. This list includes, but is not limited to, marijuana, heroin, PCP, cocaine and amphetamines. Although Washington State has legalized marijuana for medicinal or recreational purposes, BHA is not required to allow the medicinal or recreational use of marijuana in the workplace. Marijuana use or being under the influence is strictly prohibited on BHA property and while conducting BHA business.

C. "Conviction" means a finding of guilt (including a plea of *nolo contendere*) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal, state, or local criminal drug statutes.

D. "Covered individual" means any individual who conducts business for BHA. Coverage of this policy includes, but is not limited to, executive management, managers, supervisors, full-time employees, part-time employees, off-site employees, contractors, volunteers, applicants for employment, and interns.

E. “Criminal drug statute” means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.

F. “Being under influence of controlled substance” means being perceptibly affected by a controlled substance and/or having within one’s body *any* amounts of a controlled substance.

G. “Being under influence of alcohol” means being affected by alcohol in the conduct or performance of one’s job responsibilities.

H. “While engaging in BHA business” means while a covered individual is being paid by BHA, is representing BHA, is presenting himself or herself as an agent of BHA (whether or not authorized to do so) or is attending or participating in any activities organized or sponsored by BHA.

I. “In the workplace” includes all BHA premises or vehicles, including those owned, leased, used, or controlled by BHA.

J. “Reasonable suspicion” is specific, describable observations that a covered individual is in violation of this policy. Suspicion that may warrant a covered individual being tested under this policy will be based on specific personal observations which a supervisor or Human Resource representative can describe concerning the appearance, behavior, speech, breath or body odor of the employee. Reasonable suspicion also is deemed to be present following an accident in which any person sustains an injury or involving property damage in excess of \$1,000.

**THIS DRUG- AND ALCOHOL-FREE WORKPLACE POLICY OF THE BELLINGHAM  
HOUSING AUTHORITY CONSIST OF FIVE (5) PAGES**

A COPY OF THIS POLICY WAS RECEIVED BY \_\_\_\_\_  
Name of Covered individual (Printed)

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Covered individual



121 SW Morrison Street  
Suite 1100  
Portland, OR 97204

Main: 503.228.3939  
Fax: 503.226.0259  
foster.com

Direct Phone: 503.553.3151  
[kelly.woodward@foster.com](mailto:kelly.woodward@foster.com)

September 9, 2025

**VIA EMAIL**

Re: Bellingham & Whatcom County Housing Authorities  
Employee Handbook

To Whom it May Concern:

I am legal counsel for Bellingham & Whatcom County Housing Authorities (BHA). I am a labor and employment attorney with Foster Garvey PC with significant experience in labor and employment law. This letter certifies that I have reviewed and assisted in the updating of the BHA Personnel Manual to incorporate current employment law and I believe it is fully compliant with all applicable laws as of September 9, 2025. If you have any questions or concerns, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Kelly M. Woodward".

Kelly M. Woodward  
Counsel  
FOSTER GARVEY PC

KMW:sms

cc: Andrew Calkins, Executive Director  
Lindsay Burmeister, Human Resources Manager



**Bellingham &  
Whatcom County  
Housing Authorities**

333 N Samish Way  
Bellingham, WA 98225

P.O. Box 9701  
Bellingham, WA 98227

## **Memorandum**

**TO:** Board of Commissioners  
**FROM:** Lindsay Burmeister, HR Manager/Executive Services  
**DATE:** September 16, 2025  
**SUBJECT:** Resolution No. 2828 – Approval of a New Executive Classification Level

---

### **SUMMARY**

In July, Commissioner Gockley and Commissioner Billmire requested to meet with Human Resources regarding the competitiveness of our executive compensation structure. At the August Board of Commission meeting, at the commissioners' request, Human Resources presented the Board of Commissioners with a report that outlined market benchmarks from other Public Housing Authorities in Western Washington.

Following their review of this information, Board Members Gockley and Billmire felt that the current compensation scale for the Executive Director does not adequately reflect the position's scope of responsibilities, market competitiveness, or the Board's interest in retaining high-level executive talent.

Commissioners Gockley and Billmire requested that resolution No. 2828 be brought forward at the September meeting. This resolution approves the creation of a new executive classification level for the Executive Director position with a salary range of \$173,979 to \$229,097, effective September 1, 2025.

The following resolution was brought before the Board of Commissioners for their consideration:

RESOLUTION APPROVING A NEW EXECUTIVE CLASSIFICATION LEVEL

WHEREAS, the Board of Commissioners reviewed Executive Director level market data from other Public Housing Authorities in Western Washington that was provided at the August 2025 board meeting; and,

WHEREAS, the Board of Commissioners believes that the current compensation scale for the Executive Director position does not adequately reflect the scope of responsibilities, market competitiveness, or the Board's desire to retain high-level executive talent; and

WHEREAS, the Board affirms its continued commitment to fair, competitive, and performance-driven compensation practices; and

WHEREAS, the Board has reviewed compensation options including bonuses, deferred compensation, and salary range exceptions, and finds that approving a new Executive Classification Level is both financially feasible and in the best interest of the organization;

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board approves a new executive classification level for the Executive Director position, with a salary range of \$173,979 to \$229,097 effective September 1, 2025.

DATED this 16<sup>th</sup> day of September, 2025.

Commissioner \_\_\_\_\_ moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by Commissioner \_\_\_\_\_, and upon roll call, the "ayes," and "nays" were as follows:

AYES

NAYS

The Chair thereupon declared the motion carried and the resolution adopted.

BY: \_\_\_\_\_  
Stephen Gockley, Chair

ATTEST:

\_\_\_\_\_  
Andrew Calkins, Secretary/Treasurer



**Bellingham &  
Whatcom County  
Housing Authorities**

333 N Samish Way  
Bellingham, WA 98225

P.O. Box 9701  
Bellingham, WA 98227

## **MEMORANDUM**

**TO:** Board of Commissioners

**FROM:** Tony Casale, Director of Asset Development

**DATE:** September 16, 2025

**SUBJECT:** Resolution 2829 – Authorize an Additional Loan to Meadow Wood II Associates LLC

---

### **SUMMARY**

Resolution 2829 authorizes the Bellingham Housing Authority to make a loan in the approximate amount of \$750,000 to Meadow Wood II Associates LLC in order to satisfy a balloon payment on a bank loan that was used to finance the construction of the property in 2007. Providing BHA resources would allow additional time for the property to be rolled into a tax credit syndication package, potentially with other properties in 2026 or 2027, and the pursuit of other long-term financing strategies.

### **BACKGROUND**

Between 2007-2008 Meadow Wood II Associates LLC developed a residential property commonly referred to as Meadow Wood II. A myriad of funding sources were leveraged to facilitate the construction, including but not limited to proceeds from the sale of tax-exempt bonds, equity from the low-income housing tax credit program, and loans from a variety of state and local sources. Following the tax credit investor's exit of the partnership in 2023, the Bellingham Housing Authority is the only member of the company. BHA has commissioned an intensive capital needs assessment and is planning to re-syndicate this property in 2026 or 2027 as part of a 4% tax credit package.

### **FINANCING CONSIDERATIONS**

On November 1, 2025, the first position loan held by Wells Fargo Bank, N.A., reaches its maturity date at which point a final balloon payment must be made. It is anticipated that approximately \$750,000 will be required to satisfy the balloon payment, and we recommend approval of a supplemental loan from the Housing Authority of the City of Bellingham to Meadow Wood II Associates LLC. This additional loan amount would satisfy the outstanding balance in principal and interest with Wells Fargo Bank, N.A. and provide additional time for the property to be rolled into a tax credit syndication package, potentially with other properties in 2026 or 2027.

Meadow Wood II consistently generates very modest revenues, and the property had positive cash flow for only three out of the last ten years. A new loan to Meadow Wood II Associates LLC will be treated as soft debt and subordinate to other financing, with payments made based on available cash flow. It is anticipated that any new funds loaned into the property will get reimbursed through a refinancing or syndication package, but other potential scenarios include transferring the loan to a newly created ownership entity or converting the funds to equity that can then be applied to the capital stack for a significant rehabilitation project.

By eliminating hard debt payments equal to approximately \$81,000 per year, the property will have additional revenue in the short term to apply toward the maintenance and improvement of other features that directly impact the tenant experience and additional longer-term flexibility to structure future financing efforts.

## RESOLUTION 2829

### HOUSING AUTHORITY OF THE CITY OF BELLINGHAM

A RESOLUTION authorizing an additional loan, or an increase in the amount of existing loans, from the Housing Authority of the City of Bellingham to Meadow Wood II Associates LLC, authorizing and directing appropriate officers of the Housing Authority of the City of Bellingham to execute such documents as are useful or necessary to the purposes of this resolution, and determining related matters.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF BELLINGHAM as follows:

Section 1. Recitals and Findings. The Board of Commissioners (the “Board”) of the Housing Authority of the City of Bellingham (the “Authority”) finds and determines that:

(a) Statutory Authorization. The Authority is authorized by the Housing Authorities Law (chapter 35.82 RCW) to, among other things: (i) “prepare, carry out, acquire, lease and operate housing projects; to provide for the construction, reconstruction, improvement, alteration or repair of any housing project or any part thereof” (RCW 35.82.070(2)); (ii) “lease or rent any dwellings . . . buildings, structures or facilities embraced in any housing project and . . . to establish and revise the rents or charges therefor” (RCW 35.82.070(5)); (iii) “make and execute contracts and other instruments, including but not limited to partnership agreements” (RCW 35.82.070(1)); (iv) “delegate to one or more of its agents or employees such powers or duties as [the Authority] may deem proper” (RCW 35.82.040); and (v) “make . . . loans for the acquisition, construction, reconstruction, rehabilitation, improvement, leasing or refinancing of land, buildings, or developments for housing for persons of low income” (RCW 35.82.070(19)). The phrase “housing project” is defined by RCW 35.82.020 to include, among other things, “any work or undertaking . . . to provide decent, safe and sanitary urban or rural dwellings, apartments, mobile home parks or other living accommodations for persons of low income.”

(b) The Company and the Project. The Authority formed Meadow Wood II Associates LLC (the “Company”) on January 10, 2005, and has served as the Company’s managing member at all times. Pursuant to a Financing Lease Agreement effective as of November 9, 2007, by and between the Authority and the Company, the Company has a leasehold interest in the land and buildings comprising the Meadow Wood Townhomes II (the “Project”).

(c) The Bond. The Company’s costs of constructing the Project were financed, in part, with a loan of the proceeds of the Authority’s Low-Income Housing Assistance Revenue Bond, 2007, Series A (Meadow Wood Townhomes II Project) (the “Bond”). The Bond is currently scheduled to mature on November 1, 2025. At maturity of the Bond, the Company will be required to make a balloon debt service payment in the amount of approximately \$750,000.

(e) Additional Findings. It is necessary and advisable, important for the feasibility of the Project, and in the best interest of the Authority to make a loan (the “Supplemental Loan”) to

the Company to provide all or a portion of the funds to allow the Company to pay debt service on the Bond upon the maturity or earlier redemption of the Bond.

Section 2. Supplemental Loan to Company. The Authority is authorized to lend to the Company up to \$800,000 of available funds to refinance a portion of the Company's costs of constructing the Project through the payment of the amounts due at maturity or earlier redemption of the Bond, and Company is authorized to accept such Supplemental Loan for the benefit of the Project.

The Board authorizes the Executive Director of the Authority and the Executive Director's designees (each, an "Authorized Officer" and collectively, the "Authorized Officers"), and each of them acting alone, to negotiate and approve on behalf of the Authority (acting on its own behalf and as managing member of the Company) all documents relating to the Supplemental Loan to executed by the Company and/or the Authority, which may include, without limitation, a loan agreement, promissory note, and security agreement and/or amendments to or restatements of existing loan documents (collectively, the "Loan Documents"). The Authorized Officers, and each of them acting alone, are authorized to determine the terms of Supplemental Loan, which terms shall be set forth in the Loan Documents. The execution of the Loan Documents by any Authorized Officer shall be conclusive evidence of approval by the Authority and the Company of the terms set forth therein. The Authorized Officers, and each of them acting alone, are further authorized on behalf of the Authority to determine the source (or sources) of funds for the Supplemental Loan.

Section 3. Supplemental Authorization. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority (acting on its own behalf and/or as managing member of the Company) to: (i) execute and deliver and, if applicable, file (or cause to be delivered and/or filed) any government forms, affidavits, certificates, letters, documents, agreements, and instruments that such officer determines to be necessary or advisable to give effect to this resolution and to consummate the transactions contemplated herein; (ii) cause the Authority and/or the Company, to expend such funds as are necessary to pay for all filing fees, application fees, registration fees, and other costs relating to the actions authorized by this resolution; and (iii) notwithstanding any other Authority resolution, rule, policy, or procedure, to create, accept, execute, send, use, and rely upon such tangible medium, manual, facsimile, or electronic documents, records, and signatures under any security procedure or platform, as in such Authorized Officer's judgment may be necessary or desirable to give effect to this resolution and to consummate the transactions contemplated herein.

Section 4. Execution of Duties and Obligations. The Board authorizes and directs the Authority's Executive Director to cause the Authority (whether acting on its own behalf, and/or in its capacity as managing member of the Company, as applicable) to fulfill the Authority's duties and obligations, and cause the Company to fulfill the Company's duties and obligations, under the Loan Documents.

Section 5. Acting Officers Authorized. Any action authorized or directed by this resolution to be taken by the Executive Director of the Authority, may in the absence of such person, be taken by a duly authorized acting Executive Director of the Authority or any other employee of the Authority that has been designated by the Executive Director or the Board to act in the Executive Director's absence.

Section 6. Ratification and Confirmation. All actions of the Authority and its officers prior to the date hereof and consistent with the terms of this resolution are ratified and confirmed.

Section 7. Severability. If any provision in this resolution is declared by any court of competent jurisdiction to be contrary to law, then such provision shall be null and void and shall be deemed separable from the remaining provisions of this resolution and shall in no way affect the validity of the other provision of this resolution.

Section 8. Effective Date. This resolution shall be in full force and effect from and after its adoption and approval.

ADOPTED by the Board of Commissioners of the Housing Authority of the City of Bellingham at an open public meeting held on September 16, 2025.

HOUSING AUTHORITY OF THE CITY  
OF BELLINGHAM

---

Stephen Gockley  
Chair, Board of Commissioners

ATTEST:

---

Andrew Calkins  
Executive Director and Secretary-Treasurer

CERTIFICATE

I, the undersigned, the duly chosen and qualified Secretary-Treasurer and Executive Director of the Housing Authority of the City of Bellingham (the “Authority”), and keeper of the records of the Authority, CERTIFY:

1. That the attached Resolution No. 2829 (the “Resolution”) is a true and correct copy of the resolution of the Board of Commissioners of the Authority as adopted at a regular meeting of the Authority held at the regular meeting place on September 16, 2025 (the “Meeting”), and duly recorded in the minute books of the Authority.

2. That the public was notified of access options for remote participation in the Meeting; and

3 That the Meeting was duly convened, held, and included an opportunity for public comment, in all respects in accordance with law, and to the extent required by law, due and proper notice of the Meeting was given; that a quorum was present throughout the Meeting, and a majority of the members of the Board of Commissioners of the Authority present at the Meeting voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 2025.

---

Secretary-Treasurer and Executive Director of the  
Authority

[Certificate]



## BELLINGHAM/WHATCOM COUNTY HOUSING AUTHORITIES

Administrative Offices: 208 Unity Street, Lower Level, Bellingham, WA

Mailing Address: PO Box 9701, Bellingham, WA 98227-9701

Tel: (360) 676-6887 Fax: (360) 527-4646 Tty: (360) 527-4655

### SUMMARY OF VOUCHERS AND CASH DISBURSEMENTS FOR BELLINGHAM/WHATCOM COUNTY HOUSING AUTHORITY

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified by RCW 42.24.090, have been recorded on a listing which has been made available to the board.

As of this date **09/16/2025** the board, by (unanimous, majority) vote, does approve for payment those vouchers and the cash disbursements for the month **August 2025** described as follows:

Funds	Voucher Numbers	
Payroll 08/09/25:	<u>5215</u> to <u>5267</u>	\$ <u>142,905.04</u>
Payroll 08/23/25:	<u>5276</u> to <u>5328</u>	\$ <u>143,411.02</u>
BHA – Public Housing:	<u>1994</u> to <u>2002</u>	\$ <u>16,628.75</u>
Direct Deposit Checks	<u>1274</u> to <u>1280</u>	\$ <u>435.00</u>
Central Office/Maint. Fund:	<u>32123</u> to <u>32212</u>	\$ <u>257,118.19</u>
Direct Deposit Checks	<u>76</u> to <u>77</u>	\$ <u>223,364.75</u>
Section 8 Vouchers:	<u>129727</u> to <u>130050</u>	\$ <u>1,018,129.20</u>
Direct Deposit Checks	<u>88636</u> to <u>88755</u>	\$ <u>1,247,251.00</u>
BHA/Local Fund:	<u>10424</u> to <u>10439</u>	\$ <u>74,466.13</u>
Direct Deposit Checks	<u>107</u> to <u>108</u>	\$ <u>33,974.77</u>
WCHA – Public Housing:	<u>7697</u> to <u>7704</u>	\$ <u>6,952.06</u>
Direct Deposit Checks	<u>896</u> to <u>899</u>	\$ <u>479.00</u>
*Misc. ACH & Wire Transfers	<u>JV 24696</u> to <u>JV 24758</u>	\$ <u>-15,655.49</u>

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Chair

\*Reference attachments are hereto. Supporting documents available upon request.

**BELLINGHAM HOUSING AUTHORITY**  
**Board of Commissioners Regular Meeting**  
**August 19, 2025**

The Board of Commissioners of Bellingham Housing Authority (“BHA”) held a regular meeting on Tuesday, August 19, 2025 in a hybrid format. The meeting was called to order at 1:48 p.m. by Board Chair Gockley, followed by roll call. Chair Gockley declared a quorum present and the meeting opened for business.

**A. ROLL CALL/QUORUM**

**Present:**

Commissioner Valerie Billmire  
Commissioner Terry Bornemann  
Commissioner Stephen Gockley  
Commissioner Alana Pattermann

**Absent & Excused:**

Commissioner Dave Finet

**BWCHA Staff Presenters:**

Lindsay Burmeister, Executive Services/HR Manager  
Andrew Calkins, Executive Director  
Tony Casale, Director of Development  
Kate Donnelly, Chief Operating Officer

**Guest Presenters:**

Myriah Train, Indigo Real Estate

**PUBLIC COMMENT AND RESIDENT INPUT**

Paul Moore, Washington Square Resident – The Washington Square newsletter has restarted. Thanks to Kate Donnelly, Irma Kohlman and Robyn Weber who patiently answer questions to ensure that the information provided is accurate.

**B. REPORTS**

1. Executive Director Report: Attached to the Agenda
2. Annual Safety Update: Attached to the Agenda
3. Quarterly LIHTC Portfolio: Attached to the Agenda

**C. DISCUSSION / ACTION ITEMS**

1. Review Proposed Revisions to the BHA PHA Plan ([Link to doc](#))
2. Review BHA Public Housing Draft 5-year Action Plan for Capital Fund Grant Program 2025 – 2029 – Attached to the Agenda
3. Review Results of the Executive Director Compensation Study – Attached to the Agenda

**D. CONSENT ITEMS**

Commissioner Bornemann moved to approve the Consent Agenda as follows:

Motion: Approve Cash Disbursement/Vouchers for the Month of July 2025.

Motion: Approve Minutes for the July 2025 Regular BHA Board meeting.

Motion: Set public hearing date for FY 2026 BHA Agency Plan for September 18, 2025

Commissioner Pattermann seconded the motion and Chair Gockley called the vote.

**AYES:** Commissioner Valerie Billmire  
Commissioner Terry Bornemann  
Commissioner Stephen Gockley  
Commissioner Alana Pattermann

**NAYES:** None

**E. COMMISSIONER UPDATES**

None.

**F. EXECUTIVE SESSION**

The Board entered Executive Session pursuant to RCW.42.30.110(1)(g) to evaluate the qualifications and performance of a public employee at 2:36pm; Chair Gockley announced that the Executive Session would conclude at 3:00pm.

Chair Gockley re-opened the meeting to inform the public that they would be extending the Executive Session and that it would conclude at 3:20pm.

No official action took place during the executive session.

**Executive session adjourned at 3:20pm and Public Session was re-opened.**

**G. ADJOURNMENT**

The public meeting was adjourned at 3:21 p.m.

Respectfully Submitted,

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**Andrew Calkins,**  
**Secretary/Treasurer**

**ATTEST:**

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**Stephen Gockley,**  
**Chair, Board of Commission**

**January 2026 – December 2026 Regular Meeting Schedule of the  
Bellingham Whatcom County Housing Authorities Board of Commissioners**

<b><u>Date and Time</u></b>	<b><u>Locations</u></b>
Tuesday, January 20, 2026 1:00PM	BWCHA Administrative Building 321 N. Samish Way & Hybrid via Zoom
Tuesday, February 17, 2026 1:00PM	BWCHA Administrative Building 321 N. Samish Way & Hybrid via Zoom
Tuesday, March 17, 2026 1:00PM	BWCHA Administrative Building 321 N. Samish Way & Hybrid via Zoom
Tuesday, April 21, 2026 1:00PM	BWCHA Administrative Building 321 N. Samish Way & Hybrid via Zoom
Tuesday, May 19, 2026 1:00PM	BWCHA Administrative Building 321 N. Samish Way & Hybrid via Zoom
Tuesday, June 16, 2026 1:00PM	BWCHA Administrative Building 321 N. Samish Way & Hybrid via Zoom
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Tuesday, November 17, 2026 1:00PM	BWCHA Administrative Building 321 N. Samish Way & Hybrid via Zoom
Tuesday, December 15, 2026 1:00PM	BWCHA Administrative Building 321 N. Samish Way & Hybrid via Zoom

**Notice will be provided if there are changes in dates, times or locations  
of any of the above noted meetings.**

\*Annual Meeting/Elections

### **To Watch the Meetings**

The Board of Commissioners conduct meetings in a hybrid format to allow for remote participation. Members of the public may join by phone, join by zoom, or watch in person at the BWCHA Board Room located at 321 N. Samish Way, Bellingham.

### **To Join the Meeting (Members of the Public)**

**Webinar ID:** 868 2734 6793

**[Click Here to Join on Computer, Tablet, or Smart Phone](#)**

(data rates may apply)

### **To Join via Phone:**

(phone service provider rates may apply)

(253) 215-8782 (Tacoma); (206) 337-9723 (Seattle)

(669) 900-6833 (Portland); (971) 247-1195 (Phoenix); (346) 248-7799 (San Jose)

### **To Submit Public Comment**

Those who wish to provide public comment may send direct e-mail to [publiccomment@bellinghamhousing.org](mailto:publiccomment@bellinghamhousing.org) or by mail at PO Box 9701 Bellingham, WA 98227, no later than 5pm on the Monday prior to the meeting.

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**Annual Board of Commissioners 2025 Meeting Calendar**  
**Bellingham Housing Authority & Housing Authority of Whatcom County**

January	February	March
<b>Reports</b> Quarterly: Operations	<b>Reports</b> Quarterly: LIHTC Portfolio Approve HUD SEMAP Certification	<b>Reports</b> Quarterly: Development
<b>Discussion/Action</b> <a href="#">Bi-Annual: IT Report</a>	<b>Discussion/Action</b> SEMAP Review	<b>Discussion/Action</b>
April	May	June
<b>Reports</b> Quarterly: Operations <a href="#">Quarterly: Q4 Finance Report</a>	<b>Reports</b> Quarterly: LIHTC Portfolio <a href="#">Quarterly: Q1 Finance Report</a>	<b>Reports</b> Quarterly: Development <a href="#">Bi-Annual: IT Report</a>
<b>Discussion/Action</b> New/Renewing Commissioners	<b>Discussion/Action</b>	<b>Discussion/Action</b> <a href="#">ED Annual Performance Evaluation</a>
July	August	September
<b>Reports</b> Quarterly: Operations	<b>Reports</b> Quarterly: LIHTC Portfolio <a href="#">Annual: HR Safety Report</a>	<b>Reports</b> Quarterly: Development <a href="#">Quarterly: Q2 Finance Report</a> <a href="#">Utility Allowance &amp; PH Flat Rent</a> <a href="#">Schedule HCV Payment Standards</a>
<b>Discussion/Action</b>	<b>Discussion/Action</b> Review PHA Plan Set Public Hearing Date <a href="#">Review Draft CFP 5 Year Action Plan 2025 - 2029</a> <a href="#">Set Public Hearing Date</a>	<b>Discussion/Action</b> Agency Plan Public Hearing Nominate Officers Preliminary 2025- 2026 Board Schedule
October	November	December
<b>Reports</b> Quarterly: Operations <a href="#">Quarterly: Agency 2026 Budget Process</a> <a href="#">FY2024 Audit Exit (Invite SAO)</a>	<b>Reports</b> Quarterly: LIHTC Portfolio <a href="#">Quarterly: Q3 Finance Report</a>	<b>Reports</b> Quarterly: Development Bi-Annual: IT Report
<b>Discussion/Action</b> Elect Chair & Vice-Chair	<b>Discussion/Action</b> <a href="#">Agency 2025 Budget Adoption</a> Maintenance Schedule of Charges	<b>Discussion/Action</b> Flexible Spending Budget Variances Agency Salaries, co-premiums, CBA

New and changed items are in blue