

Rules of Procedure
Rehabilitation Board of Appeals
City of Royal Oak, Michigan

Section 1.0 Organization

- 1.1 Creation. The Rehabilitation Board of Appeals was created by resolution of the Royal Oak City Commission at its June 21, 1976 meeting. By resolution on January 24, 2005, the Royal Oak City Commission deferred all housing and community development needs analysis to the Rehabilitation Board of Appeals.
- 1.2 Intent and Purpose. The purpose of the Board is: 1) to hear appeals to guidelines and procedures of the city's Community Development Block Grant (CDBG) funded housing rehabilitation program; and 2) to provide the City Commission with recommendations on matters relative to housing and community development under the city' CDBG program in accordance with policies and procedures established by the U.S. Department of Housing and Urban Development.
- 1.3 Membership. The Rehabilitation Board of Appeals shall be comprised of seven (7) total members, including one (1) member of the Royal Oak City Commission and six (6) residents. Resident members shall be appointed by the City Commission for overlapping terms of three (3) years, or as otherwise established by the City Commission.
- 1.4 Officers. The officers of the Rehabilitation Board of Appeals shall consist of a Chairperson and Vice-Chairperson who shall be members of the Board, and a Secretary, the latter to be the city's Director of Community Development or his/her designated representative.
- 1.5 Selection. At the first regular meeting in each calendar year, the Rehabilitation Board of Appeals shall select from its appointed regular membership a Chairperson and Vice-Chairperson. All officers are eligible for re-election.
- 1.6 Tenure. The Chairperson and Vice-Chairperson shall take office immediately following their selection and shall hold office for a term of one year or until their successors are selected and assume office.

Section 2.0 Duties of Officers

- 2.1 Duties of Chairperson. The Chairperson shall preside at all meetings of the Rehabilitation Board of Appeals.
- 2.2 Duties of the Vice Chairperson. The Vice-Chairperson shall act in the capacity of Chairperson in his/her absence

Section 3.0 Duties of Secretary

- 3.1 Minutes. The Secretary shall keep the minutes of the proceedings of the Rehabilitation Board of Appeals and shall have custody of all the records of the Board. All minutes of the Board shall be signed by the Secretary.

- 3.2 Communications, Petitions, Reports, etc. All communications, petitions, applications, and reports shall be addressed to the Rehabilitation Board of Appeals and delivered or mailed to the Secretary for his/her distribution to Board members.
- 3.3 Other. The Secretary shall sign all official communications in behalf of the Rehabilitation Board of Appeals, shall supervise all the clerical work of the Board and shall perform such other and further duties as may be prescribed by the Board. The Secretary shall keep a record of the decisions rendered by the Board in the form of motions or resolutions. The Secretary shall prepare the agenda and relate materials for each meeting.

Section 4.0 Meetings

- 4.1 Regular Meetings. Regular meetings of the Rehabilitation Board of Appeals shall be held on the fourth Tuesday of each month at 7:00 p.m. in City Hall, or at such other time as designated by the Board at a regular meeting.

The Rehabilitation Board of Appeals shall adopt an official meeting schedule for the upcoming calendar year at or before its regular meeting in December of each preceding year.
- 4.2 Special Meetings. Special meetings may be called at the request of the Secretary or three (3) members of the Rehabilitation Board of Appeals. Notice of the special meeting shall be given by the Secretary to the members of the Board at least forty-eight (48) hours prior to such meeting and shall state the purpose, time and location of the special meeting. The posting of a notice of the special meeting shall be in compliance with applicable state law.
- 4.3 Public. All regular and special meetings, hearings, records, and accounts shall be conducted in accordance with the Open Meetings Act, being P.A. 267 of 1976, as it may, from time to time, be amended.
- 4.4 Quorum. A quorum of the Rehabilitation Board of Appeals shall consist of four (4) members and a majority vote of the Board shall be an official action for all matters.
- 4.5 Applications and Forms. Appellants and applicants shall use application forms as approved by the Secretary and shall provide all information required on the form(s) or as determined by the Secretary.
- 4.6 Incomplete Applications. Applications or items the Secretary determines to be incomplete shall not be placed on an agenda for consideration of the Rehabilitation Board of Appeals until the required information has been provided to the Secretary.
- 4.7 Order of Business; Agenda. The Secretary shall prepare an agenda for each meeting and the order of business therein shall be as follows:
 - A. Roll call

- B. Approval of the minutes from previous meeting(s)
- C. Unfinished or old business and appeals
- D. New business and appeals requiring Board action, including public hearings
- E. Other business, reports, or communications
- F. Public comment
- G. Adjournment

4.8 Distribution. The Secretary shall distribute all agenda materials to be considered by the Rehabilitation Board of Appeals at least seven (7) days prior to the regularly scheduled monthly meeting date or as soon as is otherwise reasonably feasible. In order to accomplish this task the Secretary may adjust the submission deadlines as he/she determines necessary.

4.9 Resolution/Motions. The Chairperson shall restate the resolution and/or motion including the name of the maker and supporter of each resolution and/or motion before a vote is taken. The concurring vote of a majority of the member of the Rehabilitation Board of Appeals, or four (4) members, shall be necessary to adopt a resolution and/or motion.

4.10 Voting. Voting shall be by voice and shall be recorded by yeas, nays, and abstentions. Roll call votes will be recorded only upon request by a member of the Rehabilitation Board of Appeals and/or the Secretary.

4.11 Effective Date of Orders. The decisions of the Rehabilitation Board of Appeals shall not become final until the expiration of five (5) days from the date of entry of such order, unless the Board shall find the immediate effect of such order necessary.

4.12 Parliamentary Procedure. Parliamentary procedure in meetings of the Rehabilitation Board of Appeals shall be governed by the procedures for small boards and assemblies of Robert's Rules of Order, as amended, with the following clarifications and exceptions:

- A. All actions taken by the Board shall require a motion including findings of fact and all motions shall be seconded.
- B. The Chairperson shall have a vote but may not offer any motion, and may speak in discussion of an appeal without leaving the chair.
- C. There is no limit to the number of times a Board member may speak on an appeal.
- D. Informal discussion of an appeal is permitted while no motion is pending.

4.13 Appeal/Application Procedure. The procedure of hearing appeals or applications for funding before the Rehabilitation Board of Appeals shall be as follows:

- A. A statement from the Secretary summarizing the appeal or application.
- B. A statement by the appellant, applicant or its authorized agent and others on its behalf. Such statements are limited to ten (10) minutes, unless otherwise permitted by the Chairperson.
- C. The Board and the appellant/applicant shall conduct open dialogue.
- D. The Chairperson shall close the dialogue between the Board and the appellant/applicant.
- E. Only the Board members may continue open dialogue on the appeal/application.

Section 5.0 Appealing the Guidelines and Procedures of the Housing Rehabilitation Program & Resolving Release of Payment

5.1 Board's Role In Appeals and Resolutions. The Rehabilitation Board of Appeals shall conduct the following with regard to the guidelines and procedures of the housing rehabilitation program: 1) grant or deny an appeal from the program's requirements; 2) hear and decide applications for loans which have been denied by the Rehabilitation Loan Review Committee; 3) grant or deny any formal application request for subordination of an outstanding rehabilitation loan; and 4) hear and settle any dispute between a homeowner and contractor concerning release of payment.

5.2 Withdrawals. Any appellant may withdraw his/her appeal at any time prior to the decision of the Rehabilitation Board of Appeals thereon by filing written notice of withdrawal with the Secretary.

Section 6.0 Amendments

6.1 Amendments. These rules may be repealed or modified at any regular meeting by a 2/3 vote of the entire Rehabilitation Board of Appeals.