



COOKEVILLE HOUSING AUTHORITY

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June 22, 2007

DOW HARRIS
Executive Director

Mr. Bruce A. Androphy
Tennessee Ethics Commission
Sun Trust Bank Building
201 4th Avenue South, Suite 1820
Nashville, TN 37243

Dear Mr. Androphy:

It is our understanding we are required to adopt a Code of Ethics with disclosure provisions by June 30, 2007. Attached is a copy of Cookeville Housing Authority Code of Ethics.

This Code of Ethics was adopted by our Board of Commissioners on July 11, 2006. We believe the policy is also consistent with the required legislation.

If additional information is needed, please advise.

Sincerely,

C. Dow Harris
Executive Director

CDH/mh

enclosures

Walnut Village Apartments
for the Elderly and Handicapped
Cookeville
931-528-7605
TDD No. 931-528-7605
FAX 931-526-5841

Willow Heights
Cookeville
931-520-7802
TDD No. 931-528-7605
FAX 931-526-5841

Low-Rent Housing Projects in
Cookeville, Monterey, Gainesboro,
Baxter, Algood and Celina
931-526-9793
TDD No. 931-528-7605
FAX 931-526-5841

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ETHICS COMMISSION

RESOLUTION NO. 886

RESOLUTION APPROVING COOKEVILLE HOUSING
-AUTHORITY CODE OF ETHICS

WHEREAS, it is deemed necessary that Cookeville Housing Authority maintains utmost in public trust and confidence in the policies and practices of the Authority, and

WHEREAS, the attached Code of Ethics policy is a requirement of HUD and required for all Federal Grant recipients.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF COOKEVILLE HOUSING AUTHORITY that the Code of Ethics, as attached hereto, and aforementioned, be and is hereby approved.

COOKEVILLE HOUSING AUTHORITY CODE OF ETHICS

PREFACE

The Cookeville Housing Authority has adopted a Code of Ethics (Code) for its employees, and members of its Board of Commissioners. This code is designed to assure the utmost in public trust and confidence in the policies and practices of the Authority. Because of its status as an independent public corporation, the Authority recognizes its responsibility to conduct all business in a manner above reproach or censure. This Code will describe in detail the standards by which members of the Board of Commissioners and staff are to be held accountable.

This Code recognizes those sections of federal, state, and local law which govern the conduct of public employees, and in no way supplants those provisions of law.

The Code shall be generally applied so as to avoid the appearance, or actual occurrence of, any favoritism or special treatment towards any applicant, resident, or vendor having business, or dealings of any kind, with the Authority. No Commissioner or employee shall use or cause or allow to be used his or her position to secure any personal privileges for himself, herself, or others, or to influence the activities, actions, or proceeds of the Authority.

The Cookeville Housing Authority, in establishing ethical standards for its employees and commissioners, recognizes the importance of establishing standards of conduct for vendors and suppliers of products and/or services to the Authority. While the Authority cannot mandate the internal conduct or policies of vendors, it nevertheless requires that vendors and suppliers adhere to certain basic principles in conducting business with the Authority. Specifically, these principles include:

There shall be no direct or indirect inducement of employees or members of the Board of Commissioners including the giving of gifts, money, tickets, meals, or any other items or service having value in excess of \$25.00. It is recognized that in the course of business dealings, there may be times when meals may be arranged as a part of a business meeting. In such cases, such events should be reported to the Executive Director or the Chairman of the Board, as appropriate, with the nature of the meeting explained when it is anticipated that the value of the meal will exceed \$25.00.

It is expected that vendors or suppliers of professional services to the Authority will be governed by the Code to which their particular profession prescribes.

Any vendor or supplier found in violation of Authority policy shall be barred from future business dealings with the Authority. The Authority reserves the right to have vendors and suppliers sign a statement of compliance with the standards of conduct of the Authority.

DEFINITIONS

"Claim" shall mean any demand, written or oral, made upon the Authority to fulfill an obligation arising from law or equity.

"Commissioner" shall mean one of the persons serving on the Board of Commissioners of the Authority.

"Contract" shall mean any obligation to do something arising from an exchange of promises or consideration between persons, regardless of the particular form in which it is stated.

"Employee" shall mean any person appointed or hired, whether full or part time, seasonal, temporary, on a fixed or unfixed term, provisional or permanent.

"Family" shall mean the spouse, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister, or a person living in the same household.

"Interest" shall mean a benefit or advantage of an economic or tangible nature that a person or a member of his or her family would gain or lose as a result of any decision, or action or omission to decide or act, on the part of the Authority, its Board, or employees.

"Person" shall mean any individual, corporation, partnership, business entity, association, organization, and may include an Authority employee.

ETHICAL STANDARDS FOR EMPLOYEES

Employment, Business and/or Professional Activity

No employee of the Cookeville Housing Authority shall: have any employment, engage in any business or commercial transaction, engage in any professional activity, incur any obligation, enter into any contract with any person who has or enters into a contract with the Authority, have no interest, direct or indirect, in any property included or planned to be included in any project, or, have any financial interest in the business of any individual or business organization in which directly or indirectly he or she would have an interest that would impair his or her independence of judgment or action in the performance of his or her official duties or that would be in conflict with the performance of his or her official duties.

No authority employee acting individually can bind the housing authority by any action or verbal representation.

No current Housing Authority employee shall represent any person, other than himself, in business negotiations, judicial or administrative actions or procedures, to which the Authority may be a party.

Insider information

No employees of the Cookeville Housing Authority shall directly or indirectly, engage in a financial transaction as a result of, or primarily relying upon, information obtained through his or her CHA employment.

Relatives of CHA Employees

All employees shall disclose to the Executive Director the name of any relative, listed in the definitions of "family" that lives in, or applies to live in, any housing operated by the CHA, or that is employed by, or applies to be employed by the CHA, as soon as they have knowledge of this status. The employee involved shall not participate in the decision making process regarding any action affecting the employment of said relative. No employee shall participate in the application and/or leasing process, including but not limited to the execution of a lease, calculation of rent, inspections or the termination process of any relative listed.

Preferential treatment

There shall be no preferential treatment given by an employee of the Authority acting in performance of his or her official duties to any person, agency or organization.

Authority owned equipment

No Authority employee shall use or permit the use of Authority-owned computer, vehicles, equipment, materials or property for the convenience or profit of himself, herself, or any other person. However this provision shall not apply in the case of usage for "diminutive" purposes, i.e., purposes which in and of themselves should not be construed as abuse of Authority property.

Gifts

No Authority employee shall solicit any gift or consideration of any kind, nor shall any Authority employee accept or receive a gift having value in excess of \$25.00 regardless of the form of the gift, from any person who has an interest in any matter proposed or pending before the Authority.

Disclosure of Information

No Authority employee shall disclose, without proper authorization, information or records concerning any aspects of the operation of the Authority, nor shall he or she use such information to the advantage or benefit of himself, herself, or any other person. This shall include records maintained on applicants/residents of the

Authority. The release of any information relative to applicants/residents of the Authority shall be done pursuant to government regulations allowing the release of information among government agencies or agencies receiving government subsidy, shall be done following prescribed methods of requesting and transmitting such information, and shall be done with full knowledge of the applicant/resident except in those cases where through action of law the applicant's/resident's knowledge is not required.

Former employees

No former employee of the Authority shall personally represent any person in a matter in which the former employee personally participated while employed by the Authority for one year, if such representation would be adverse to the interests of the Authority. This provision shall not, however, bar the timely filing by a current or former employee, of any claim, account, demand, or suit arising out of personal injury, property damage, or any benefit authorized or permitted by law.

Handling of CHA funds

Employees who have access to Organization funds in any form must follow the prescribed procedures for recording, handling, and protecting money as detailed in CHA's instructional manuals or other explanatory materials, or both. CHA imposes strict standards to prevent fraud and dishonesty. If employees become aware of any evidence of fraud and dishonesty, they should immediately advise the Executive Director so that CHA can promptly investigate further.

When an employee's position requires spending CHA funds or incurring any reimbursable personal expenses, that individual must use good judgment on CHA's behalf to ensure that good value is received for every expenditure.

Employees responsible for accounting and recordkeeping must fully disclose and record all assets, liabilities, or both, and must exercise diligence in enforcing these requirements.

Falsification of records

Employees must not make or engage in any false record or communication of any kind, whether internal or external, including but not limited to: false expense, attendance, production, financial, or similar reports and statements, false advertising, deceptive marketing practices, or other misleading representations.

Working for residents

Employees are specifically prohibited from performing any outside work for any residents of the CHA.

Violation of law

No employee will do anything in the conduct of business that would violate any local, state or federal law.

Action on findings

Any matter decided on, contracted, adjudicated, or in any way acted upon by an employee who does not disclose a personal interest either in the matter, or in any person or organization having an interest in the matter, may be considered null and void by the Authority. Such a matter may be referred to the Board of Commissioners to render judgment.

When an employee is found to be in violation of this Code the Executive Director will take corrective action in accordance with the disciplinary actions outlined in the CHA Personnel Policy.

ETHICAL STANDARDS FOR COMMISSIONERS

The Board of Commissioners of the Cookeville Housing Authority is the architect of policy governing the operations of the Authority and retains legal and fiscal responsibility for the Authority. Recognizing that the commissioners are chosen from a broad range of fields and professions and community interests renders difficult the circumscription of external interests and activities of the Commissioners. It is the intent that, insofar as is possible, the members of the Board of Commissioners are generally enjoined to follow the standards of conduct which are outlined in the Code of Ethics for employees. Further, it is expected that a Commissioner will voluntarily and fully outline his or her personal interests and potential conflicts of interest prior to assuming their seat on the board. Such a statement should be submitted to the Board Chairman within sixty (60) days of the Commissioner's appointment and included in the minutes of next regular Board Meeting. For Commissioners currently serving, such an updated statement shall be developed within sixty (60) days of their re-appointment for a new term. Such a statement shall disclose the following:

- A. The names of any business, organizational, or professional involvements that might reasonably be inferred as having business with the Authority and for which at some point a Commissioner might be expected to vote, legislate, or rule on a matter involving said party.
- B. Any current or past contact in, or interest in, activities or programs of the Authority, including, but not limited to, any contracts previously bid and let, familial relationships with any staff or other board members, or any consultative or professional contracts.

No Commissioner shall vote, decide on, or discuss any matter before the Board if that Commissioner has an interest in the matter, except that:

- A. A Commissioner having interest through a voluntary association with the person or organization may be allowed to discuss the matter.
- B. If the matter concerns a person or organization with which the Commissioner had former contact, and that former contact existed either prior to his or her selection, or occurred at least two years prior to the current discussion of the matter, the Commissioner may freely act.

No Commissioner may use his or her position on the Board to intimidate, coerce, persuade or otherwise influence any of the activities or employees of the Authority.

No commissioner shall solicit any gift or consideration of any kind, nor shall any commissioner accept or receive a gift having value in excess of \$25.00 regardless of the form of the gift, from any person who has an interest in any matter proposed or pending before the Authority.

POLICY DISSEMINATION

New employees will be provided a copy of this policy as a part of their employment packet. Updates or changes will be distributed and discussed with employees.

Commissioners will be provided a copy of this policy at or before their first Board Meeting. Changes to this policy will be reviewed and approved by the Board of Commissioners.