§ 631. Resident protections and opportunities. 1. The protections afforded to a resident of a housing facility shall be consistent with those afforded to a public housing resident, to the extent permitted in accordance with federal law, and subject to and with the approval of the United States department of housing and urban development. These protections shall include, but are not limited to:

(a) preserving the affordable character of such housing facility in accordance with section eight of the United States housing act of nineteen hundred thirty-seven, as amended, or any successor provision and with part five of title twenty-four of the code of federal regulations or any successor regulation;

(b) ensuring that any resident required to relocate temporarily for purposes of rehabilitation or redevelopment of such housing facility is guaranteed the ability to return to such housing facility following the completion of such rehabilitation or redevelopment, and that the relocation expenses of such temporary relocation be paid for by the trust or NYCHA as required by applicable federal law;

(c) providing a resident of such housing facility the opportunity to establish and operate a council to represent residents in such housing facility to address concerns relating to such facility, pursuant to subpart b of part nine hundred sixty-four of title twenty-four of the code of federal regulations or any successor regulation, and to be eligible for resident participation funding from the trust consistent with funding available to residents of public housing pursuant to section 964.150 of title twenty-four of the code of federal regulations or any successor regulation, provided that any resident council that, at the time of the transfer of a housing facility to the trust, is certified by NYCHA as the resident council shall be recognized by the trust as the resident council of such housing facility;

(d) providing a resident of a housing facility an opportunity for an informal hearing to grieve any dispute that such resident may have with respect to an action of the trust with regard to such resident's lease, consistent with the obligation of a public housing agency pursuant to paragraph eight of subdivision (e) of section 966.4 of title twenty-four of the code of federal regulations or any successor regulations and pursuant to subpart b of part nine hundred sixty-six of title twenty-four of the code of federal regulations or any successor

regulations;

(e) providing a resident of a housing facility automatic renewal of such resident's leases, except for good cause as specified in the lease between such resident and the trust, consistent with the requirements relating to a lease between a public housing agency and a tenant of a dwelling unit pursuant to subparagraph (i) of paragraph two of subdivision (a) and subdivision (l) of section 966.4 of title twenty-four of the code of federal regulations or any successor regulation;

(f) determining succession to a lease between a resident and the trust in accordance with the succession policy described in the management manual, and any amendments to such manual, of NYCHA;

(g) permitting a resident whose total tenant payment, as defined in section 983.3 of title twenty-four of the code of federal regulations, or any successor regulations, would equal or exceed the rent to owner, as defined in section 983.3 of title twenty-four of the code of federal regulations or any successor regulations, to remain in a housing facility and pay rent in an amount to be determined by the trust and NYCHA and as set forth in the lease of such resident;

(h) determining succession to a voucher pursuant to section eight of the United States housing act of nineteen hundred thirty-seven, as amended, or any successor provision, in accordance with the housing voucher program administrative plan, and any amendments to such plan, of NYCHA; and

(i) no rescreening for eligibility or right-sizing of residents of a housing facility as a result of a transfer of the leasehold interest from NYCHA to the trust.

2. The resident protections described in subdivision one of this section shall be enumerated in the ground lease or other appropriate agreement between NYCHA and the trust and shall be further enumerated in writing between the trust and each resident of a housing facility. Nothing in this section shall preclude the trust or NYCHA from providing additional resident protections, which may be enumerated in any such ground lease or agreement.

3. The trust, to the greatest extent feasible, and consistent with

federal, state and local laws and regulations, shall ensure that employment and other economic opportunities be directed to residents of the housing facilities, consistent with section three of the federal housing and urban development act of nineteen hundred sixty-eight, as amended, and part seventy-five of title twenty-four of the code of federal regulations or any successor law or regulation. All project labor agreements shall be consistent with this subdivision.

4. The trust shall act in accordance with the full requirements of part nine hundred sixty-four of title twenty-four of the code of federal regulations or any successor regulation. The trust shall, among other requirements, support resident participation in the operations of the housing facilities and negotiate, with any resident management corporations, or equivalent that satisfies the requirements of such part, for operation of a housing facility. The trust shall consider applications of resident organizations, community organizations or other local organizations for grant funding, as available, to provide training, technical assistance, and education to residents to support active resident participation in the planning and implementation of the conversion process.

5. The trust shall ensure residents participate in the process to procure the vendors that will perform capital renovation, modernization, and construction work, excluding emergency procurements.

6. The trust shall create committees consisting of members as appropriate, which shall include, but not be limited to, trust employees and residents of the housing facility where construction, reconstruction, rehabilitation, alteration, renovation, maintenance and repair work is being performed, and such committees shall meet as needed to provide input, and oversight, along with recommendations, with respect to the quality of such work performed by the vendors of the trust.

7. The trust and NYCHA shall, in accordance with applicable law, establish a procedure and eligibility requirements by which a person who is not a tenant of record as of thirty days before the execution of the

transfer of a leasehold interest in the housing facility to the trust may become a tenant of record based on consideration of the familial nexus of such person to the last tenant of record on file with NYCHA, such individuals to include, but not be limited to, aunts, uncles, nieces, nephews, and first cousins, provided that such applications to become a tenant of record following the transfer of a leasehold interest in the housing facility to the trust shall be made no later than thirty days before such transfer. Any requests received after such date will be reviewed in accordance with the policies described in the administrative plan, and any amendments to such plan, of NYCHA.