

Boyne City Housing Commission (BCHC) Conflict of Interest Policy and Disclosure Form

Adopted by BCHC Board of Commissioners 10/22/2025

The purpose of this policy is to maintain the highest standards of integrity and public trust in the administration of the Boyne City Housing Commission (BCHC). This policy ensures compliance with the Annual Contributions Contract (ACC), HUD regulations, the Uniform Guidance, and Michigan state law governing conflicts of interest.

1. Legal Authority

This policy is based on the following authorities:

- A. HUD Regulation 24 CFR 982.161 (Conflict of Interest)
- B. 2 CFR 200.112–200.113 and 2 CFR 200.318(c)(1)– (2) (Uniform Guidance)
- C. ACC Part B, Section 19 (Conflict of Interest)
- D. Michigan Housing Facilities Act, MCL 125.651 et seq.
- E. Michigan Conflict of Interest Statute, MCL 15.321 et seq.

2. Policy Statement

No Board member, officer, employee, agent, or member of their immediate family shall participate in the selection, award, or administration of any contract, lease, or financial transaction if a real or apparent conflict of interest exists. This includes situations where the individual or any member of their immediate family has a financial or personal interest or otherwise benefits from the transaction.

3. Definitions

- A. Immediate Family: Spouse, domestic partner, parents, children, siblings, in-laws, or any person living in the same household.
- B. Financial Interest: Any direct or indirect ownership, employment, or compensation arrangement with an entity doing business with BCHC.
- C. Appearance of Conflict: A situation in which a reasonable person could question a member's impartiality.
- D. Organizational Conflict: A conflict arising when BCHC has an affiliated or related entity that may gain advantage in procurement or programmatic decisions.
- E. Recusal: Removal from discussion, deliberation, and voting on a matter in which a conflict exists.

4. Prohibited Activities

- A. A Commissioner shall not have any financial interest in any contract, lease, purchase, or sale with BCHC.
- B. A Commissioner shall not use their position for personal or financial gain.
- C. A Commissioner shall not participate in decisions involving family members or associates who have interests in BCHC transactions.
- D. No Commissioner shall solicit or accept gifts, gratuities, favors, or anything of monetary value from contractors, tenants, applicants, or vendors.
- E. A Commissioner with a conflict of interest must recuse themselves from participation in the selection, award, or administration of any related contract or transaction.

5. Waivers of Conflict (ACC Section 19)

The Board may, for good cause and in full compliance with state and local law, grant a waiver of a conflict under Section 19 of the ACC. Any waiver must be documented in writing and, if required by HUD, submitted to the HUD Field Office for review and approval.

6. Mandatory Disclosure to HUD / OIG

BCHC shall promptly disclose in writing to HUD or the Office of Inspector General any credible evidence of conflict of interest, fraud, bribery, or gratuity violations, in accordance with 2 CFR 200.112 and 2 CFR 200.113.

7. Organizational Conflicts of Interest

BCHC shall avoid organizational conflicts of interest in which an affiliate or related entity may obtain an unfair competitive advantage. Any such relationship must be fully disclosed, and the related entity excluded from participation in procurement or contract decisions where a conflict exists.

8. Disclosure Requirements

Each Commissioner must complete and sign a Conflict-of-Interest Disclosure Form (Appendix A) upon appointment and annually thereafter. Any potential or actual conflict that arises during the year must be immediately disclosed to the Executive Director and documented in the official record.

9. Recusal Procedure

When a conflict of interest is identified:

- A. The Commissioner shall disclose the conflict at the next public meeting.
- B. The Commissioner shall refrain from voting, discussing, or influencing the matter.
- C. The minutes shall note the disclosure and recusal.

10. Violations

Violations of this policy may result in disciplinary action, removal from the Board, or referral to HUD, the City, or legal counsel. Civil or criminal penalties may also apply under Michigan law and federal regulations.

11. Oversight and Review

The Executive Director shall distribute this policy annually and ensure that signed disclosure forms are collected and retained. The Board Chair and Executive Director shall oversee compliance. This policy shall be reviewed annually and updated as required by changes in federal or state law.

Appendix A: BCHC Conflict of Interest Disclosure Form

Name: _____ Position: _____

1. Financial Interests

Do you, your spouse, or any member of your immediate family have a financial interest in any company, contractor, landlord, vendor, or other entity that does business with BCHC? Yes No If yes, please describe:

2. Employment or Outside Activities

Are you or any family member employed by, volunteering with, or serving on the board of any organization that has dealings with BCHC? Yes No If yes, please describe:

3. Gifts or Benefits

Have you received any gifts, favors, or items of value from anyone seeking business or assistance from BCHC in the past 12 months? Yes No If yes, please describe:

4. Potential Conflicts

Are you aware of any other situation that could create a real or perceived conflict of interest with your duties as a Commissioner? Yes No If yes, please explain:

Certification

I have read and understand the Boyne City Housing Commission Conflict of Interest Policy. I certify that the information provided above is true and complete to the best of my knowledge and that I will promptly disclose any new potential conflicts that may arise during my service.

Printed: _____ Signature: _____ Date: _____

Reviewed by (Executive Director): _____ Date: _____