

**Conflicts of Interest Policy  
Cincinnati Hamilton County Continuum of Care Board Members  
The Homeless Clearinghouse**

No member may participate in or influence discussions and/or decisions concerning the award of a grant or other financial benefits to the organization that the member represents or to themselves as individuals. Therefore, any individual participating in or influencing decision-making must identify actual or perceived conflicts of interest as they arise and comply with the letter and spirit of this policy. Disclosure should occur at the earliest possible time and if possible, prior to the discussion of any such issue. Individuals with a conflict of interest should abstain from discussion and on any issue in which they may have a conflict. A Conflict of Interest Policy will be approved by the Continuum of Care annually.

Annual written disclosure statements will be provided to each member. Members will not be permitted to participate in a discussion or a vote until the statement is on file with Strategies to End Homelessness. **Other than in matters involving a conflict requiring disclosure and recusal**, all members shall have the right to recuse themselves and/or abstain from voting on a matter without providing reason.

**Article I – Purpose**

- 1) The purpose of this CoC Board membership conflict of interest policy is to protect the Continuum of Care (CoC) and to emphasize the CoC's commitment to the highest standards of integrity, fairness and conduct so as to ensure the maximum public trust.
- 2) This policy is intended to supplement, but not replace, any applicable state and federal laws governing conflicts of interest applicable to nonprofit and charitable organizations.

The CoC Board Member Conflict of Interest Policy **applies to all CoC Board Members** (CoC Board Members, Committee Members, and Subcommittee Members). In their activities on behalf of and in their dealings with the CoC, it is the responsibility of each CoC Board Member to avoid any actual conflict of interest and the appearance of a conflict of interest. Each person to whom this policy applies must be free of any activity, association or investment which might influence, or give the appearance of interfering with, the independent exercise of his or her judgment in conducting the CoC's activities or in dealing with the CoC.

**Article II – Definitions**

- 1) **Interested person** – Any CoC Board Member who has a direct or indirect financial interest, as defined below, is an interested person.

**Conflict of Interest** - A conflict of interest may exist when the interests or activities of any member, director, or officer may be seen as competing with the interest and activities of the CoC; when the member, director or officer derives a financial or other material gain as a result of a direct or indirect relationship. Such conflicts are presumed to exist in those circumstances in which a member, director or officer's actions may have a preferential impact upon the agency or entity employing the

member or director. Such actions are presumed to include, but are not limited to, the development of policies in which a self-serving bias may be present as well as in decisions affecting the allocation of resources. Members of the Continuum of Care Board (CoC Board Members, Committee Members, and Subcommittee Members) may not participate in decisions concerning awards of (sub)awards and/or contract, provisions of financial benefits to such member or the member's organization, or implementing corrective actions as a result from CoC Collaborative Applicant monitoring activities of CoC and ESG activities. They must excuse themselves from the decision making process. This shall not be construed to prevent such person or organization from providing their perspective and having an opportunity to be heard on a particular issue, so long as any final discussion and voting on the matter is held in an appropriate executive session without such person or organization present.

- 2) **Financial interest** – A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
- a. An ownership or investment interest in any entity with which the CoC has a transaction or arrangement;
  - b. A management position in any entity which has a financial interest, such as serving on the Board of an organization with a financial interest in the CoC;
  - c. A compensation arrangement with the CoC or with any entity or individual with which the CoC has a transaction or arrangement; or
  - d. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the CoC is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the Board decides that a conflict of interest exists, in accordance with this policy.

### **Article III – Procedures**

- 1) **Duty to Disclose** – In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the conflict and/or financial interest and be given the opportunity to disclose all material facts to the Board.

**Recusal of Self** – Any CoC Board Member has a duty to recuse himself or herself at any time from involvement in any decision or discussion in which the member believes he or she has or may have a conflict of interest, without going through the process for determining whether a conflict of interest exists. This shall not be construed to prevent such person or organization from providing their perspective and having an opportunity to be heard on a particular issue, so long as any final discussion and voting on the matter is held in an appropriate executive session without such person or organization present.

- 2) **Identifying Where a Conflict of Interest May Exist** – The Board shall review all Conflict of Interest Annual Statements to identify where a conflict of interest may exist.
- 3) **Violations of the Conflicts of Interest Policy**
  - a. If the Board has reasonable cause to believe a CoC Board Member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
  - b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Board determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

#### **Article IV – Records of Proceedings**

The minutes of the Board shall contain the names of all of the CoC Board Members (CoC Board Members, Committee Members, and Subcommittee Members) in attendance, who made a motion, who seconded, that the yes count was sufficient to carry, the names of those who voted 'no,' and, and the names of those who abstained.

#### **Article V – Annual Statements**

- 1) Each CoC Board Member (CoC Board Members, Committee Members, and Subcommittee Members) shall annually sign a statement which affirms such person:
  - a. Has received a copy of the conflict of interest policy;
  - b. Has read and understands the policy; and
  - c. Has agreed to comply with the policy.
- 2) If at any time during the year, the information in the annual statement changes materially, the CoC Board Member shall disclose such changes and revise the annual disclosure form at the earliest opportunity.
- 3) The Board shall regularly and consistently monitor and enforce compliance with this policy by reviewing annual statements and taking such other actions as are necessary for effective oversight.

#### **VI – Exceptions and Changes to Policy**

The CoC reserves the right to make an exception to this policy and procedures based on communication from the Department of Housing and Urban Development (HUD) that impact the CoC's ability to carry out the policy and procedures as described above. The CoC also reserves the right to amend this policy on an annual basis.

