

WISHAW AND DISTRICT HOUSING ASSOCIATION

ESTATE MANAGEMENT POLICY

As with all the Association's policies and procedures, this document, where required, can be translated into other community languages on request. For people with visual impairment, taped, large print or Braille versions can also be provided. Further information on the implementation of this policy is available at the office.

Wishaw and District Housing Association acknowledges that, under the Housing (Scotland) Act 2001, it is required to consult with residents on policies that directly affect the management of the properties. The consultation process on the Estate Management Policy took place during January and February 2010.

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1.0 INTRODUCTION

Wishaw and District Housing Association believes that Estate Management is a vital part of the housing management function and is for the benefit of both the residents and the Association. From the point of view of residents in an area, the estate management service should ensure that they can live in a safe, secure and pleasant environment and for the Association, the Estate Management function should contribute to protecting both the Association's reputation and its investment in the stock and the area.

The Estate Management Policy is intended to put measures and procedures in place that will ensure that the Association offers the highest standard possible in both the service it provides to the residents and the quality of living conditions and environment it offers. By the effective implementation of the Estate Management Policy it is also hoped to demonstrate the Association's commitment to the wider community and to contribute towards a sense of pride and community ownership within the area.

2.0 SCOPE OF THE POLICY

Estate Management is very wide ranging and can encompass many tasks that collectively are required to maintain an estate and to deal with the varied and complex issues that, if not dealt with, can result in an estate deteriorating and becoming an unattractive place to live. Many of these tasks are dealt with in other documents such as the Association's Property Management, Resident Participation, Harassment, Anti-Social Behaviour and Void Property Management policies.

In general the Estate Management Policy will deal with those aspects of the function that are not covered by other documentation and will loosely define Estate Management as a combination of;

- Issues relating to the Tenancy Agreement and, in particular, breaches of the Tenancy Agreement.
- Management of the properties, the surrounding area and common parts.
- Environmental Issues.

The responsibilities of residents in relation to Estate Management are outlined in the Scottish Secure Tenancy Agreement, the Deed of Conditions and the Association's Good Neighbourhood Agreement.

3.0 AIMS AND OBJECTIVES

The primary aim of the policy is to ensure that the Association continues to provide the highest possible standard of housing and living environments that will be viewed as desirable places to live and to protect the Association's investment in the stock and the surrounding area and its reputation.

Arising out of this overall aim, the objectives of the Estate Management Policy are;

- The provision of a comprehensive Housing Management Service to all residents in areas managed by the Association.
- To maintain the environment free from litter, graffiti and vandalism.
- The provision of safe, secure and attractive accommodation that people can reside in peacefully.
- To foster good landlord-resident relations.
- The provision of a service that is responsive to residents' needs and demands.
- To encourage residents to take an interest and a pride in their living environment and to foster a sense of community ownership in the area.
- To encourage residents to get involved and to participate in the maintenance and upkeep in their area.

4.0 THE ASSOCIATION'S RESPONSIBILITIES

4.1 Breaches of the Tenancy Agreement

As the landlord, Wishaw and District Housing Association has a responsibility to ensure that all its tenants adhere to the conditions of the tenancy agreement and meet all their obligations and responsibilities as a tenant.

In terms of the Estate Management function this includes ensuring that tenants, members of the family and/or visitors to the tenant's house;

- Control their pets and do not allow them to pose a nuisance to other residents.
- Maintain their gardens.
- Do not damage, vandalise or destroy the Association's property.
- Help keep the area in a clean and presentable condition and in particular common stairways.
- Dispose of household refuse in an appropriate and safe manner.
- Use the house appropriately and not for illegal purposes.
- Comply with arrangements for the use of common parts such as drying areas.
- Store outdoor items appropriately.
- Park and store vehicles, trailers and caravans appropriately.

Where tenants of the Association do breach their tenancy conditions it is the responsibility of the Association to take appropriate action to ensure that the tenant ceases the breaches. All avenues for resolving the problem will be utilised including the use of external agencies (such as the police, the anti-social task force and environmental services), recharging tenants for works not carried out and legal remedies (such as serving notices and, ultimately, eviction proceedings).

4.2 Breaches of the Deed of Conditions

As property managers the Association has a responsibility to ensure that owners and sharing owners comply with the terms of the Deed of Conditions and/or the Occupancy Agreement and fulfil their obligations conferred by these legal documents. However, it should be noted that the Association's powers of enforcement are more restricted and may be limited, depending on the terms of the individual deed.

4.3 Management of the Properties

In managing its properties to the highest possible standard the Association aims to protect its stock and its investment. This includes the security and management of void properties and the appropriate and sensitive allocation of properties and these functions are covered under the relevant policies.

However in relation to the Estate Management function the management of the properties is particularly concerned with maintaining and/or cleaning common areas such as shared stairs, bin stores, door entry systems, rear court lighting, and close doors etc which fall outwith the definition of tenants' responsibilities.

As such the Association will endeavour to ensure that all areas within its stock are kept clean, tidy and safe and, where appropriate, will have in place suitable maintenance arrangements and/or contracts to ensure that the properties are maintained to an acceptable standard. The Association will also have in place policies and procedures to ensure that regular inspections of the stock are carried out to identify any repair and maintenance works that may be required.

Some of the costs incurred by the Association in managing the properties such as stair cleaning and maintenance of door entry systems may be recharged to tenants as a service charge and/or to owners occupiers and sharing owners as part of the property management account.

4.4 Environmental Issues

Within its remit as property managers for the estate in which it has properties, the Association has responsibilities to maintain external common areas and open spaces. This includes grassed areas, play areas, boundary fencing, shrub beds and parking bays, roads and footpaths that have not been adopted by North Lanarkshire Council.

Some of the costs incurred by the Association in meeting these obligations may be recharged back to tenants as a service charge and to owners/sharing owners as part of the property management account.

5.0 RESIDENTS' RESPONSIBILITIES

5.1 Tenants Responsibilities

The responsibilities of tenants are conferred through the Tenancy Agreement and are outlined in the Tenants Handbook. Under the terms of the tenancy agreement tenants have responsibilities to;

- Ensure that no member of the household or visitors to their home cause annoyance or nuisance to other residents in the area.
- Apply for permission to keep pets in the property and to ensure that pets are kept under control and not allowed to cause annoyance or nuisance.
- Regularly clean and wash common areas deemed to be tenant's responsibility, such as close stairs and windows, corridors, bin stores and drying areas.
- Maintain their own gardens to an acceptable standard.
- Properly dispose of household refuse, including arranging the uplift of bulk items.
- Keep the house and immediate surroundings in a clean condition.
- Properly store property such as bicycles and prams and ensure that they are not kept in common areas unless it is specified for storage.
- Ensure that caravans, trailers, cars, motorcycles or any other vehicle is not parked on Associations property unless the area is designated for parking.

Where the tenant fails to meet any of these obligations appropriate action will be taken to encourage the tenant to adhere to the conditions of their tenancy. Continual failure of the tenant to meet their responsibilities will be viewed as a breach of the tenancy agreement and may lead to legal action being taken including actions of specific implement, applications for Anti Social Behaviour Orders and action for repossession of the property.

5.2 Responsibilities of Owners and Sharing Owners

The legal responsibilities of owners and sharing owners are conferred through the Deed of Conditions and/or the Occupancy Agreement. Although deeds and agreements for individual estates may differ slightly from each other, in general all owners and sharing owners have responsibilities to;

- Contribute their equal share of costs incurred in the maintenance and upkeep of the common areas.
- Maintain any common areas deemed to be resident responsibility, such as bin stores and drying areas.
- To provide reasonable access to allow essential maintenance works to common parts and/or access to general services such as gas and electricity.

However, under the terms of some Deeds of Conditions, the Association may also have the power to enforce clauses relating to the owner and/or sharing owner's responsibility to;

- Ensure that no member of the household or visitor to their home cause annoyance or nuisance to other residents in the area.
- Maintain their own gardens to an acceptable standard.
- Properly dispose of household refuse, including the uplift of bulk items.
- Not to use the property as a commercial premises or for business use without the consent of the Association.
- Not to carry out any structural alterations to the property without the Association's permission.
- Seek the Association's permission to keep pets and animals on the premises.

Where the owner or sharing owner fails to meet their responsibilities, the Association will consider taking appropriate action, including the use of appropriate legal processes.

6.0 POLICY IMPLEMENTATION

6.1 Breaches of Contract

6.1.1 *Anti-Social Behaviour and Neighbour Nuisance*

Residents of the Association whose conduct within the house or the estate constitutes anti-social behaviour or neighbour nuisance will be dealt with in line with the Association's Anti-Social Behaviour Policy.

However, it should be noted that many reports of anti-social behaviour and neighbour nuisance result from clashes of lifestyle, particularly where children are allowed to play in back courtyards and parking bays. The Association will endeavour to mediate in such situations and to reach a satisfactory resolution to all parties. If necessary, external mediators will be used to seek a resolution.

6.1.2 *Harassment*

Wishaw and District Housing Association views harassment on any grounds as an extremely serious matter and will not tolerate any resident of the Association harassing another resident living in a property owned or managed by it.

Reported cases of harassment will be dealt with in accordance with the Association's Harassment Policy and all appropriate action will be taken to end the ordeal of the victim as quickly as possible. This will include taking appropriate legal action including applications for Anti Social Behaviour Orders and action to evict the perpetrator and/or ban them from the area.

6.1.3 Keeping of Pets

Under the terms of the tenancy agreement, tenants must have the written approval of the Association to keep pets in the property. Permission will not be unreasonably withheld but will be given subject to the following conditions;

- The keeping of the specific breed of dog is not prohibited under the Dangerous Dog Act 1991.
- The keeping of the pet is not prohibited under any other law.
- The pet is properly supervised and kept under control at all times.
- The animal is not allowed to cause nuisance, annoyance or be a danger to other residents in the area.
- The pet is not allowed to cause damage to the house, to neighbouring property or to any property belonging to the Association.
- The animal does not create excess noise or smell.
- Pets, especially dogs, are not allowed to foul gardens, public footpaths, shared back courtyards, play areas or any other common area and that the owner of the pet is responsible for cleaning up any faeces.

Although owners and sharing owners may not be required to apply for the Association's permission to keep a pet, they may, under the terms of the Deed of Condition, be restricted in the number and type of pet they may keep. Regardless of any requirement to apply for permission, all pet owners are expected to comply with the above conditions relating to the control and supervision of the animals.

Where a resident does not meet any of the above conditions and/or continually breaches the conditions the Association shall take appropriate action including;

- Involving external agencies such as Environmental Services, Dog Wardens and the RSPCA.
- Withdrawing consent for the pet to be kept in the property and demanding that the animal be removed.
- Taking legal action such as an application for an Anti Social Behaviour Order or an order for repossession.

6.1.4 Garden Maintenance

Residents that have exclusive use of either a back or front garden or both, shall be responsible for ensuring that the garden is maintained to an acceptable standard and not allowing it to become overgrown or untidy.

Tenants that do not maintain their garden will be issued with a written warning and a target date for bringing the garden to an acceptable standard. Where tenants fail to comply, the Association may raise an action of specific implement or may carry out the work required and recharge the costs incurred to the tenant. Although the Association may have little authority to take action against owners who do not maintain their garden, the Association, where appropriate, may refer matters to external agencies such as Environmental Services and/or apply for a court order.

Residents that are unable to maintain their own gardens due to ill-health, old age, infirmity or disability will be encouraged to, and assisted in, make an application to be included on North Lanarkshire Council's Care of Garden scheme which is open to all households residing in the North Lanarkshire area, regardless of tenure. In recognition of the limitations of the Council scheme, the Association operates a very restricted care of garden scheme. Due to the resources involved this service will only be made to qualifying tenants of the Association. Details of the scheme and the qualifying criteria are contained in the Association's Care of Garden Policy.

6.1.5 Vandalism

Where it is felt appropriate the Association will report to the police any member of a household living in a house owned or managed by the Association or a visitor to that house that has been shown to be responsible for acts of vandalism, damage or graffiti to the Association's property. The tenant/owner/sharing owner will be held responsible for any damage to the Association's property and will be recharged all repair costs incurred.

6.1.6 Cleaning of Common Areas

Residents will be advised of any common areas that are their responsibility to keep clean and tidy. These may include close stairs and windows, bin stores and drying areas. Where these common areas are shared with other tenants or owners, every resident will be expected to take a turn in cleaning and, if necessary, the Association will issue a rota to every resident involved.

Where one or all of the residents fail to keep common areas to an acceptable standard, the Association may carry out the works and recharge the costs incurred to the residents as applicable. The Association may use legal remedies, including raising an action of specific implement or involve other external agencies such as Environmental Services, to resolve problems in keeping common areas to an acceptable standard.

6.1.7 Disposal of Refuse

All residents are expected to take all reasonable care to ensure that their household rubbish is properly stored and disposed of. Refuse must be adequately bagged and stored until collection in bin stores or other designated areas. It must not be left on the stairs, in shared areas such as drying areas, outside doors or any other place that it is likely to cause annoyance. Residents must comply with the local arrangements for the collection of refuse.

Refuse that is left in common parts or inappropriately disposed of on Association's property will be collected by the Association and the responsible resident will be recharged the costs incurred. Residents that continually fail to dispose of their refuse correctly may be referred to Environmental Health for action to be taken under relevant by-laws.

Bins should be stored in the designated areas and regularly cleaned by residents.

Arrangements for the uplift of items of bulk refuse and any associated costs are the residents' responsibility. Items not properly disposed of will be removed by the Association and the resident recharged the costs incurred.

6.1.8 Storage of Items and Parking of Vehicles

Residents may only use designated areas for the storage of items such as bicycles, prams and large play items such as slides and swings. Items must not be stored in common parts and must not constitute a danger or a nuisance to other residents.

Vehicles such as caravans, motorcycles, trailers, must only be parked in areas set aside for parking or on the main road. The parking of any vehicle must not cause annoyance or nuisance to other residents in the area.

Residents with individual parking bays should ensure that members of their household only use those bays designated for their use. Visitors should be instructed to park in bays set aside for visitors and it shall be the tenant/owner/sharing owner's responsibility to ensure that their visitors or members of their household do not use the parking bays of other residents without the resident's permission.

6.2 Management of the Properties

6.2.1 Security and Management of Void Properties

It shall be at the discretion of the Association to determine if a particular property requires to be secured when it becomes vacant. Where security is necessary for the protection of the property and the public, the Association will endeavour to have secure doors and window shutters fitted the same day as the house becomes empty or the office is made aware that the property is empty. Where full security of a house is not felt to be necessary, the Association may take steps to give the appearance that the house is still occupied.

Where a property is likely to be vacant for some time over the winter period, the Association will ensure that all steps are taken to avoid burst and frozen pipes.

General management of the void property will be in accordance with the Association's Management of Void Property Policy and every effort will be taken to ensure that the property is occupied as quickly as possible.

6.2.2 Sensitive Allocations

Although the allocation of houses is made in strict accordance with the Association's policy, it is recognised that many problems in managing an estate can be avoided by the sensitive allocation of the houses. Where an estate has had a particular problem or a history of problems, the Association reserves the right not to offer rehousing in that area to any applicant that it is felt would exacerbate these problems.

6.2.3 Cleaning of Common Areas

The Association may take responsibility to clean certain common parts within a building or estate, particularly where it would be impractical, unreasonable or difficult to pass this responsibility onto the tenants. Where the Association does carry out the cleaning of common parts the costs incurred may be recharged back to tenants as a service charge and to owners as part of the property management account.

6.2.4 Maintaining Common Parts

The Association will endeavour to ensure that all property of the Association that is shared or common to the building or the estate is repaired and maintained to the highest possible standard. This shall include door entry systems, close doors, rear court and close lighting. However, where any item of property belonging to the Association is deliberately damaged by anyone living in the building or estate or visiting someone living there, the cost of replacing or repairing the damaged item may be recharged back to the tenant/owner/sharing owner responsible.

6.2.5 Door Entry Systems

All residents living in a building with a controlled door entry system are expected to use the system correctly by keeping the entrance door shut at all times and only allowing access to identified visitors to their own house. These systems are put in by the Association for the security and protection of all residents in the building and the Association will endeavour to have any repairs to the system carried out within 24 hours.

6.2.6 Vandalism and Graffiti

The Association will endeavour to remove offensive, racial, sectarian or obscene graffiti and any items of graffiti that are obviously personal to any one individual within 24 hours of it being reported to the Association although delays may be unavoidable whilst the Association, Police or other agencies gather evidence required to pursue action against the perpetrators.

Damage caused by acts of vandalism will be repaired as quickly as possible and where appropriate the incident reported to the police and the costs reclaimed through the Association's insurance policy or recharged to the tenant/owner/ sharing owner responsible.

7.0 ENVIRONMENTAL ISSUES

7.1 Landscaping

The Association will ensure that it has landscape contracts in place to maintain all identified open spaces and to ensure;

- Common areas of grass are regularly cut through out the growing season.
- Shrubbed areas are trimmed and cut back as required and shrubs are not allowed to over hang public footpaths.
- Flowerbeds and shrubbed areas are kept free from weeds.
- Footpaths, parking bays and roads that have not been adopted by North Lanarkshire Council are regularly sprayed with weed killer.
- Play areas are regularly delittered and inspected for faults and repairs.
- Parking bays and other common areas are swept and cleaned on a regular basis.

Contracts will normally be issued annually or for a maximum of three years to allow the Association the flexibility to review a contractor's performance and service.

The Association will liaise with North Lanarkshire Council to ensure that all the areas that have been adopted by the Council including roads, footpaths and parking bays, are regularly maintained to an acceptable standard.

7.2 Play Areas

Play areas provided by the Association are for the use of the children that live in the houses owned and managed by the Association and residents in the area are expected to ensure that the equipment provided is not misused and damaged by their children. Residents are also responsible for the conduct of visiting children that are using the play areas at the invitation of the tenant/owner or their children.

The Association will take every precaution to ensure that the play areas are kept in a safe condition and will endeavour to ensure that play areas are inspected on a weekly basis to identify any damage to the equipment and to remove any hazards as quickly as possible. This will form part of the Landscape Maintenance Contract.

Over the years play areas have been identified as being a main source of estate management problems due to their use as meeting places for gangs of youths, children from outwith the estate using the equipment and high levels of damage and vandalism to the equipment and seating. The Association will liaise with residents and external agencies such as the police and will support workable initiatives by residents to resolve the problems experienced by those living next to play areas.

8.0 IMPLEMENTATION METHODS

8.1 General Approach

The Association will take a proactive approach to the estate management function and the implementation of the policy and will seek to provide a visible service and presence to residents in our areas. Staff will endeavour to promote the Association as an approachable and supportive organisation in order to encourage residents to keep the Association informed of issues and problem areas and to help the housing officers build up a good knowledge of their own areas.

Housing management staff will endeavour to build good working relations with residents in an area and will seek to foster a sense of community ownership and interest by encouraging residents to actively participate in the management of their area.

8.2 Inspections

As part of their Estate Management remit, officers from the Association will carry out regular monitored inspections of the areas owned and managed by the Association to monitor the upkeep of the area, to check on the general condition of the Association's property and to note any repairs and/or improvement works required.

A full inspection of all common parts and areas will be carried out according to a weighting for each estate. Category A, which are estates needing more regular inspections, will be inspected a minimum of 6 times per year. Category B estates are those maintained to a higher standard and will be inspected a minimum of 3 times per year.

8.3 Handbooks

All new tenants, owners and sharing owners will provided with a handbook specific for their tenure, outlining their responsibilities as a resident as well the Association's obligations as a landlord and property manager.

8.4 'Settling in' Visits

A member of the Association's Tenancy Services department will aim to carry out a 'settling in' visit to all new tenants and sharing owners within 6 weeks of the household moving into the property. A key aim of the visit will be to establish a good landlord/tenant relationship and to promote the Association as an approachable, sympathetic and supportive landlord. The visit will also be an opportunity to outline the households responsibilities as neighbours and members of the community in a positive manner.

8.5 Neighbourhood Agreements

Where appropriate the Association will request all residents within a block or estate to enter into a Good Neighbour Agreement. The purpose of the agreement will be to outline and clarify the standards of behaviour and conduct expected of residents and to encourage good neighbour relations and foster a sense of community.

8.6 Resident Participation

As demonstrated in the Association's Resident Participation Policy and Strategy, the Association believes that all residents in an area have a right and a responsibility to contribute towards the management of their area and will set in place strategies and procedures that will allow and encourage residents to take an active part in setting the standards in their area and ensuring these standards are met by the Association and other residents.

In keeping with the commitment made in the Residents Participation Policy and Strategy support and practical help and assistance will be given to residents who wish to set up a local scheme such as a Residents Group, Neighbourhood Watch etc, within the Associations stock and staff will attend any group meeting when requested.

Where there are issues specific to a defined area, building or close, the Association may call a public or close meeting for the effected residents. Where appropriate other agencies such as the police or North Lanarkshire Council may be invited to contribute to seeking a resolution or to offer advice and support.

8.7 Information and Advice

The Association will offer advice and information to all residents within its stock, regardless of tenure, on any matter relating to the Tenancy Agreement, Good Neighbourhood Agreement, Deed of Conditions and/or the Association's policies relating to Estate Management. A copy of any relevant policy or a summary of any policy will be made available on request. Literature will also be made available in other formats and languages where necessary and in line with the Association's Translating and Interpreting Policy.

Where appropriate, residents may be referred to other agencies such as Citizens Advice Bureau for further advice.

8.8 Maintenance Contracts

The Association will ensure that suitable arrangements and contracts are in place to provide a responsive repairs service to keep a building, area or estate in a safe and acceptable condition.

Maintenance programmes for cyclical repairs and planned improvements will be put in place to ensure that all of the Association's property is maintained to the highest possible standard both internally and externally.

Funding for improvements and repairs will be allocated annually as part of the Association budget setting exercise. The Association will also hold an Estate Management budget that will be used to fund specific 'one-off' estate management works.

8.9 Liaison with Other Agencies

The Association will seek to establish good working relationships with other agencies that have expertise or an interest in the management of estates, including Community Police, the Anti-Social Task Force, North Lanarkshire Council and other landlords that may have stock within the Associations area of operation.

The Association will also liaise with organisations that have an interest in promoting the interests of residents such as TPAS and will, where appropriate, invite such bodies to meeting to offer advice and information to residents.

9.0 DELEGATED AUTHORITY

Appropriate members of staff will be given delegated authority and responsibility for the day-to-day operation and implementation of the Estate Management function and in particular will be responsible for;

- Carrying out inspections of the Association's property.
- Dealing with reports of anti-social behaviour and neighbour nuisance.
- Maintaining records on estate management and monitoring performance.
- Issuing relevant information to residents.
- Formulating and implementing strategies relating to estate management and resident participation.
- Dealing with breaches of the clauses in the tenancy agreement or the Deed of Conditions relating to estate management.
- Liaising with the Technical Services Department on matters of maintenance and repairs.
- Setting service charges.

- Arranging resident meetings as appropriate.
- Liaising with other agencies to formulate a comprehensive and partnership approach to the management of estates.
- Contributing to and participating in any wider action initiatives for the areas in which the Association operates.
- Effective and efficient use of the Estate Management budget.

10.0 COMPLAINTS AND THE RIGHT OF APPEAL

All residents that receive a service from the Association under the Estate Management Policy have the right to make a complaint about the service received or to appeal against any decision made by the Association in relation to the service or the implementation of the policy. Residents also have the right to make a complaint if they feel aggrieved at the treatment they have received during their dealings with staff members.

Formal appeals and complaints will be dealt with in accordance with the Association's complaints procedures. In line with these procedures, residents ultimately have the right to have their appeal or complaint referred to the Association's Complaints and Grievances Committee.

A copy of the Association's complaints procedures is available from the office on request.

11.0 REVIEW OF THE POLICY

The full Estate Management Policy will be reviewed at least every three years. However, elements of the policy may be referred for review within that timescale if required.

12.0 CONSULTATION

The Association will seek to carry out a consultation exercise prior to final approval being given for any proposed review and/or amendment to the Association's Estate Management Policy and, where appropriate will seek comments and views from interested and affected parties. All comments and views formally expressed and notified to the Association as part of the consultation exercise will be for considered prior to final implementation.

However, in order to allow the Association to provide as high a standard of services as possible the proposed reviewed and/or amended policy may be implemented as an interim policy during the consultation period, pending final approval.

Document History

First Adopted by Management Committee	-	24 February 1998
First Revision by Board of Management	-	25 June 2002
Second Revision by Board of Directors	-	8 November 2005
Third Revision by Board of Directors	-	26 January 2010

Written by EL