

Cairn Housing Association

Register of Tenant Organisations

2005

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Registration of Tenant Organisations and Cairn Housing Association

The Housing Scotland Act has as its Tenant Participation core, the registration of tenant organisations. This is important as it gives local tenant groups recognition and a crucial role in the ongoing tenant participation process.

The registration of Tenant Organisations places additional responsibilities on Cairn Housing Association. The Housing (Scotland) Act 2001 requires Cairn Housing Association to consult all Registered Tenant Organisations on issues that affect them. Cairn Housing Association must also have regard to any representations made by Registered Tenant Organisations.

Basic Features of Registration

- Cairn Housing Association must keep a register of tenant groups, which is open to public inspection at reasonable times. This register will be held in each Area Office and can be presented on request by a tenant or member of the public
 - Criteria for registration is set by Scottish Ministers
 - Tenants groups can register with the landlord, provided they meet the criteria set by Ministers, about being democratic and accountable
 - To receive the full benefit of the legislation tenants' organisations should register with every landlord whose tenants they represent
 - Tenants groups can appeal to Scottish Ministers if they are unhappy about a decision reached about registration.
- The Association will hold details of each group that had registered. These details will include:
- the groups area of operation and a map where possible contact details
 - membership details
 - information the group provides to members
 - any current activities of the group
 - how the group plans to engage with its members and represent their views.

The Criteria for Registration

Applications for registration must include

- The organisation's constitution
- A definition of the area of operation
- A list of the office bearers
- Contact information
- Details of any other landlords with whom the organisation has, or is seeking registration
- A statement describing the practical ways the membership may be involved.

Procedures for Registration

Cairn Housing Association should provide information to tenants groups to assist with the registration process. This information will include:

- The criteria for registration and de-registration
- How groups can apply
- Where groups can get advice and information on how to apply
- What groups can expect as a result of registering
- Timescale involved in registering and re-registering
- Procedure for removal from the register
- How to appeal.

Any group wishing to register with Cairn Housing Association should contact The Housing Officer responsible for the area at the local Area Office. For help with application please contact a member of staff at the local area office.

Groups who do not wish to register

Not all tenant groups will wish to register. If this is the case individuals will still have a right to be consulted. Consultation with these groups would be out with the statutory provisions of the Act. Groups should be encouraged to register through training, information and help from their landlord, TPAS etc.

Changes an RTO Makes

If a tenants' organisation changes its constitution, office bearers, membership or area of operation, they are required to inform their landlord. Providing the changes mean that the registration criteria are still met, the Register of Tenants Organisations will be amended accordingly. The failure of a registered group to meet the criteria for registration would constitute grounds for deregistration.

Rights of Registered Tenants Organisations

Registered Tenants Organisations in addition to any consultation with all tenants should be involved with Cairn Housing Association in the following ways:

- Invite RTOs to identify what they feel the landlord should be considering changing
- Have arrangements for obtaining and taking the views of RTOs into account
- Notify RTOs of their intention to review or make proposals
- Provide information to RTOs on any proposals under consideration
- Provide RTOs with information about worked out proposals about housing services, housing standards, tenant participation strategy and stock transfers
- Give reasonable time for RTOs to offer views about worked out proposals and consider any views submitted

RTOs will be given copies of Communities Scotland inspection reports after Cairn Housing Association has been inspected and may be consulted by them during the course of the inspection.

Appeals Procedure

A tenant's organisation may appeal against Cairn Housing Associations decision:

- Not to register the organisation; or
- To remove the organisation from the register; or
- Not to remove the organisation from the register

Any appeal against the Associations decision on this will be dealt with in accordance with their internal complaints procedure.

If a Tenants Organisation is still dissatisfied with Cairn Housing Associations decision, the group may have a subsequent appeal considered by the Regulation & Inspection Division of Communities Scotland. An appeal should be presented to Communities Scotland only after the landlord's internal appeal procedures have been exhausted.

Consultation with tenants and Registered Tenants Organisations

The Housing Act contains a new provision that requires landlords to consult with both individual tenants and registered groups on a range of housing issues that affect them. Your landlord must have regard to any representations made by a tenant or a tenant's organisation about any proposals, how this will be done is included in the Tenant Participation Strategy. The proposals on which a landlord should consult its tenants and RTOs include:

- Its housing management and repair and maintenance policies and how they may significantly affect tenants
- The standard of service it intends to provide in relation to housing management, repair and maintenance
- Its tenant participation strategy
- Any change of landlord

When Cairn Housing Association proposes to increase its rents, it must first consult tenants affected and take on board their views before a decision is made. Cairn Housing Association is also required to give 4 weeks notice in writing before increasing rents or service charges.

Background to Preparation of Register

In January 2004, The Tenant Participation Advisory Service was commissioned by Cairn Housing Association to develop the Association's Tenant Participation Strategy. In addition to this TPAS also was responsible for completing the Register of Tenant Organisations. To achieve this TPAS was in contact with all tenant and resident groups who are currently operating within Cairn Housing Association's housing stock. An application form along with a fact sheet on RTOs was sent to all groups. TPAS followed this up with a phone call to all groups offering training and assistance on completing the application form.

At 1st March 2005, no pre-existing group has registered with the Association after this initial approach from TPAS.