



The Right to Manage Your Estate



An independent and accountable tenant-focused organisation
working within the community for the community.

The Right to Manage

Introduction

The Housing (Right to Manage) Regulations 1994 allow tenants' or residents' organisations to set up Tenant Management Organisations (TMOs) and to take on the responsibility for the day-to-day management of their estates. There are over 250 TMOs in England. Recent research has shown that they provide a model of what can be achieved by local people; that they are generally well run and that most were performing better than their host local authority.

The Right to Manage involves an *Initial Feasibility Study* to prepare for the setting up of a TMO. If tenants vote in favour, an *Approved Agency* will carry out a *Full Feasibility Study* to prepare the tenants' group for its chosen role in housing management.

The TMO, with the help of their Approved Agency will list the responsibilities, management and maintenance of the properties, within a management agreement. This may take up to two years and will involve intensive training. At the end of the process tenants will be asked to vote on whether to proceed with the management agreement.

Some of the local housing services TMOs may be responsible for are:

- Collecting rents and service charges
- Organising repairs and maintenance
- Making sure that buildings are kept clean and tidy

Tenants don't have to do these tasks themselves: they can employ staff; use council housing staff who may be seconded to the TMO, or employ a managing agent.

The council will still own the homes and remains the landlord but the TMO becomes a partner with the council in providing services to the local community. Council representatives can be invited on to the TMO committee.



Source: <http://www.communities.gov.uk/>

Exercising the Right to Manage

Before deciding to manage their estate, tenants will need to make sure it is the best option for them and their neighbours. Tenants should discuss problems and ideas with the council early on and find out what other options may be open. Free help and advice can be sought from an independent adviser through an options study.

To use the Right to Manage, tenants will need to have a representative organisation for the estate or area. There are a number of phases to go through before management responsibilities can be transferred to a tenant management organisation.

Before entering the RTM process itself, help will be available from an independent advice agency from Communities and Local Government's *Approved Persons* list to ensure that the requirements of the Regulations are met and to help tenants serve a Right to Manage notice on their council.

This will usually be achieved through an Options Study or, where there is a strong established group and support from the council, a Pre-Feasibility Study.

If tenants support the proposal to set up a TMO, this will be followed by an Initial Feasibility Study. This will look at the possibilities for setting up a TMO, including looking at any disadvantages as well as the potential benefits. Communities and Local Government will pay for the Options Study, Pre-Feasibility and Feasibility stages.

The advice agency will give a view on the likely success of a TMO and, if tenants vote in favour, an approved agency will carry out a Full Feasibility Study to prepare the group for its chosen role in housing management. If a tenant group decides to develop a TMO under the Right to Manage, they may apply to Communities and Local Government for a development grant of which the Department will pay for 75% and the council will pay for 25%. The money goes directly to the group who can competitively select which advice agency they want to help them through the development programme.

The Right to Manage process is rigorous and demanding, lasting three to four years. It should only be undertaken by tenants' groups who are prepared to devote the time, effort and commitment needed. Tenants will receive comprehensive advice and thorough training to ensure that they are competent to take on management responsibilities.

Further information

For more information about the Right to Manage and the many other ways to get involved in the management of your homes, contact either of our Housing Offices - details at the bottom of this page.

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