

## **North Lanarkshire Council**

### **Guidance Notes: Registration of Tenant Organisations**

#### **Introduction**

The Housing (Scotland) Act 2001 introduces the right to participate for tenants. Part of this legislation is the requirement that all local authorities and other social landlords introduce a system for setting up and maintaining a register of tenant organisations. Tenant groups need to apply to become registered and must meet certain criteria to quality. The criteria for registration has been set out by the Scottish Executive and covers a number of points. Groups who do become **RTOs** are entitled to certain rights and the landlord has a duty to inform and consult with them on housing matters.

#### **What is a Registered Tenant Organisation-RTO?**

A Registered Tenant Organisation-RTO is a group who has applied to become registered with a landlord and meets certain conditions which have been set down in the Housing (Scotland) Act 2001.

#### **Becoming an RTO**

##### **What do we need to do to become registered?**

A group must apply in writing to become registered. To help you North Lanarkshire has an application form which asks you for all the information we need. Part of this application includes the need to send certain information.

##### **What do we need to send?**

All groups wanting to become registered must send:

- a copy of your constitution
- a list of office bearers and committee members
- a contact address for correspondence which can be made public
- a description of the area your group operates in
- details of other landlords you are registered with or applying to become registered with

##### **What criteria do we have to meet?**

There is a range of criteria you have to meet.

1. You must have a written constitution that is available for inspection and which details:
  - your objectives
  - the area in which you operate
  - your membership process
  - how your committee operates and is elected
  - how your business is conducted
  - how your funds are managed

- when you meet including the Annual General Meeting
  - how your constitution can be amended
  - your commitment to equal opportunities
  - how you intend to promote housing and housing related matters
2. You must have a committee that:
    - is elected annually and committee members must be required to stand down after a certain period (this period should be included in your constitution)
    - consists of at least three members who can co-opt other members on
    - reaches decisions democratically (the decision making process should be included in your constitution)
  3. You must operate within a defined area that includes local authority housing stock and your group must be open to all tenants within that area
  4. You must have proper accounting records showing income and expenditure, your assets and liabilities. Your constitution must require an annual audited financial statement to be presented at your AGM
  5. You must be able to demonstrate how you plan to represent the views of your members and how you will keep them informed

### **What happens next?**

If you meet the registration criteria we will place you on the register and let you know in writing that you have qualified and from what date. If you don't meet the registration criteria we will tell you in writing of our decision not to place you on the register, the reasons why you don't meet the criteria and your right of appeal to Scottish Ministers.

### **What happens if we don't register?**

If you don't register we will still keep your details on file and include you in any consultation that we do. However you will not be classed as an RTO and you will not have the statutory rights of an RTO.

### **What rights and benefits will we have as an RTO?**

As a Registered Tenant Group you will have a recognised role in the participation process. You will have the right to be consulted on issues affecting you. You will also have the right to have your opinions taken into account in any consultation.

### **What help is there to become registered?**

We can provide a model constitution that helps meet the registration criteria. We can also offer advice and training on the registration process. If you need help or advice on equal opportunities policies we can supply this. We will also have support staff who can work with your group and we can provide access to independent help and advice. We are also preparing an information pack on tenant groups in general.

**Will the register be a public document?**

We are required by law to make the Register publicly available. The Register must include contact details for groups, however if you prefer you can use a box office or care of address. The Register will be available at housing offices and on the Councils website.

**Can a group be removed from the register?**

A group can be removed from the Register if it no longer meets the registration criteria. A group can also ask to be removed from the Register and it must apply in writing to do this. If a group ceases to exist it will also be removed.

**Do we have the right of appeal if we are removed from the Register?**

You have the right to appeal if you are refused registration. You also have the right to appeal against any decision to remove you from the Register or if we refuse to remove you on your request.

**Can we register with more than one landlord?**

You can register with any social landlord who has housing stock in the area you cover.

**How long will registration last?**

Registration lasts for 3 years. After this groups will have to reapply.

**For more information or if you have any question then please contact Housing  
Development on 01236 812509**