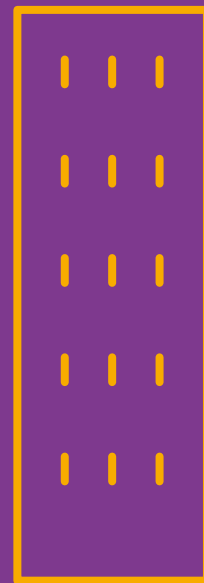
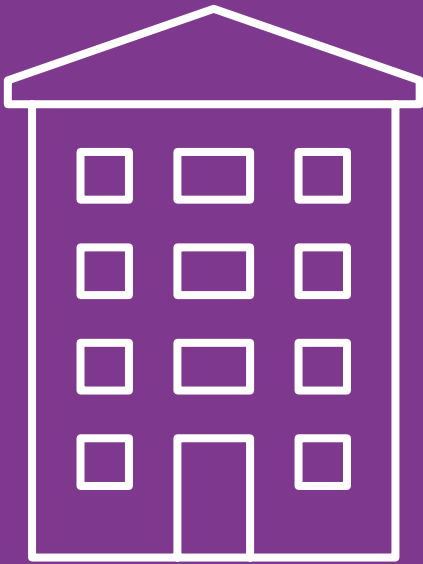




A Guide To

# TENANT MANAGEMENT ORGANISATIONS



**“Developing a TMO isn’t easy;  
it takes time, commitment and dedication  
from your whole team, as well as individually.  
Your role is supported by  
your lead advisor and the council.”**

**Nick Reynolds**

Chair of Roman Way Estate CIC  
TMO in Edgbaston

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# INTRODUCTION

## Tenant Management Organisations

Tenant Management Organisations (TMOs) are groups of tenants and/or leaseholders who manage their homes on behalf of the council. The group becomes an independent legal body and sets up a board to manage the organisation.

Becoming a member of a TMO is one way of becoming more involved with your housing services.

When a TMO is established, an agreement is put in place between both parties. This sets out the services the TMO will provide and the financial allowances they will receive to manage the service on behalf of the council. For example, a TMO may manage the day-to-day repairs service or estate-based services. Any services that a TMO chooses not to provide will continue to be provided by the council.

**Occupants of properties that are managed by TMOs are still tenants of Birmingham City Council.**

**In addition, a TMO does not affect your rent; this is set by the council.**





# A BRIEF HISTORY OF TENANT MANAGEMENT ORGANISATIONS

There are around 230 TMOs in England. Some of these TMOs have been operating for over 30 years. The popularity of TMOs increased when grants, payable for developing a TMO, were introduced in the 1980s.

The most recent development for TMOs has been the Right to Manage Regulations in 2012. This legislation introduced a voluntary route into setting up a TMO, making the process quicker and less complicated; it also allowed housing association tenants to form TMOs. These regulations encourage tenants and leaseholders to take more control in the local delivery of their housing services.

## Local TMOs

There are currently five TMOs operating in Birmingham, managing around 1250 homes.

### **Bloomsbury Estate Management Board**

Bloomsbury Estate in Nechells is a housing estate of nearly 700 flats and houses. Their housing service is managed on behalf of the council by the Bloomsbury Estate Management Board (EMB), which was the first to be established in the country.

The EMB has its own housing executive director, housing officers, concierge staff, caretaking and cleaning team and repairs team.

The staff are based on-site and provide a local, dedicated service to meet the needs of tenants. They work to improve the quality of life for residents through development of housing services and community initiatives.

### **Manor Close Residents' Management Organisation**

Manor Close in Edgbaston is an estate of 90 flats; 24 of these are rented by council tenants and 65 are occupied by leaseholders and 1 flat use as the RMO

office. The estate is managed by the Manor Close Residents Management Organisation Limited (RMO). The RMO is responsible for minor repairs, grounds maintenance, cleaning services and management of garages.

The RMO aims to encourage as many residents as possible to play an active part in managing the estate or, at the very least, to support the efforts of the management team.

### **Holly Rise Co-Op**

Holly Rise is made up of two blocks of flats, Southam House and Claverdon House, in Billesley, totalling 60 properties in all. The estate is managed by the Holly Rise Co-Op, which is responsible for minor repairs, some grounds maintenance and some tenancy services.

Members of the Co-Op aim to maintain a stable and harmonious community and ensure that they have good quality housing services, whether these are provided by themselves or the council. The estate is also very attractive as the Co-Op works closely with the council to achieve a high standard of repair to properties and cleanliness in communal areas.

### **Four Towers TMO**

Four Towers TMO in Harborne manages 4 blocks with a total of 211 flats, a mixture council tenants and leaseholders. The TMO are responsible for some day to day repairs, cleaning and caretaking service and is committed to providing quality housing service and support to the tenants and leaseholders.

### **Roman Way Estate**

Roman Way Estate in Edgbaston is made up of 199 flats and houses. Roman Way Estate is run by residents with the aim of managing the Roman Way Estate by providing housing service; some day to day repairs, cleaning and caretaking and working with the Council and other partners to ensure that all services are provided to the council tenants and leaseholders.



# DEVELOPING YOUR OWN TENANT MANAGEMENT ORGANISATION

Birmingham City Council has a range of options available for you to become involved in your housing services, which can be found in our How Tenants and Leaseholders can get involved in their Neighbourhood.

To view visit [How tenants and leaseholders can get involved in their neighbourhood](#) or email [ResidentInvolvement@birmingham.gov.uk](mailto:ResidentInvolvement@birmingham.gov.uk) for more information.

This section of the Guide outlines how TMOs operate and are developed.

## The Right To Manage

All tenants and leaseholders, as long as they meet certain requirements, have the right to take over the management of their homes, known as the Right to Manage.

To form your own TMO, you can serve a Right to Manage notice on your landlord or agree to work together voluntarily. If you serve a notice, then the council must work with tenants in your area to explore setting up a TMO. To be in a position to serve a notice, interested tenants must form a group representing a minimum of 25 secure tenancies\*; at least 20 per cent of these homes must be members of the TMO.

*\* After the first 12 months of a council tenancy, the tenancy becomes secure, as long as conditions of tenancy are met and rent is paid on time.*



# LIFE AS A TENANT MANAGEMENT ORGANISATION

## Membership & Promotion

Depending on the type of organisation the TMO becomes, members may be charged a nominal fee, such as 20p or £1; however in a lot of cases no fees are applied. Members are entitled to vote at annual meetings or join the board and become involved with the development and running of the TMO.

Members of the board should be representative of the age, sex and ethnic profile of the TMO area. TMOs are expected to monitor this and continuously strive to increase membership and encourage new members to become involved.

## Council Support

All TMOs are assigned an officer from the TMO Support Team. This officer is a link between the TMO and Birmingham City Council.

They will offer support during the development of the TMO and help its sustainability in the long term. They will also ensure regular monitoring and auditing takes place to ensure that the TMO is operating appropriately and delivering services to a high standard.

The council will also provide training and access to specialist service area officers to keep all operating and developing TMOs up to date with best practice.

## Governance

All TMOs, while in development or in operation, are responsible for ensuring that decisions are made and services delivered in a fair and equitable manner.

Each TMO needs to ensure that the public monies it receives are spent appropriately and accounted for, while following their legal responsibilities as a registered company (*also see A-Z of Key Responsibilities*).



# DELIVERING SERVICES AS A TENANT MANAGEMENT ORGANISATION

Once set up, a TMO will take on the delivery of housing services and be responsible for ensuring that the services they manage are delivered to a high standard. By this time, the TMO will have:

- Developed a partnership with the council.
- Obtained an office on or near the estate being managed.
- Appointed any relevant contractors or staff.
- Put in place the appropriate policies and procedures needed to deliver and monitor housing services.

## Managing The Organisation

An operational TMO will have a signed and agreed Modular Management Agreement (MMA) with the council which will outline which services will be managed, how the organisation is set up and which policies and procedures are in use.

## Monitoring Performance

It is important that the TMO has effective performance monitoring procedures in place so they are aware how their officers or contractors are performing against agreed targets.

The council will meet with the TMO at least once per month to discuss operations, any issues and any support needed. They will also discuss performance with the TMO on a regular basis and arrange for frequent audits to take place to ensure services are being delivered effectively and to a high standard.

## TMO Liaison Committee

At least twice a year, a liaison committee meeting takes place. This is an opportunity for all TMOs to meet representatives from the council in one place.

This meeting is designed to facilitate partnership working between all TMOs and the council while providing an update on strategic issues affecting them. This committee ensures that the council has open and regular communication with TMOs.



## A - Z OF KEY RESPONSIBILITIES

This A–Z guide gives an overview of the key responsibilities of a Tenant Management Organisation.

- A. Accountability:** all TMOs are accountable and responsible for the actions they take as a managing agent of housing services on behalf of their landlord.
- B. Board Membership:** all TMOs must set up a board to manage the TMO and make decisions on its activities. The board must aim to be representative of the profile of the TMO estate and represent the interests of all residents and members.
- C. Company:** all TMOs are required to register either as a company (at Companies House) or as an Industrial and Provident Society (with the Financial Services Authority). They are then bound by the relevant rules to regulate their operation.
- D. Decision Making:** all TMOs are responsible for making fair and evidenced decisions to act in the best interests of their organisation and local residents.
- E. Equal Opportunities:** all TMOs must commit to delivering a fair and equal service, regardless of residents' age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- F. Financial Control:** all monies must be accounted for, managed within set budgets and reported through regular accounts.
- G. General Membership:** all residents on the TMO estate must have an opportunity to join the TMO and have their interests represented. They must be able to attend general meetings to exercise any voting rights.
- H. Health and Safety:** all TMOs have a responsibility under Health and Safety legislation towards their members, staff, service users and visitors.
- I. Incorporation:** any group developing a TMO is advised to register as a company; this is also compulsory to become operational (see *Company*, left).
- J. Joint Work:** all TMOs work in partnership with their landlord to deliver a shared vision of excellent housing services to their estate.
- K. Kite Mark:** all TMOs are able to apply to the National Federation of Tenant Management Organisations (NFTMO) for Kite Mark status as a nationally-recognised symbol of their good practice.
- L. Liability:** members of a TMO incorporated as a registered company have limited liability for the actions they take on behalf of the company.
- M. Modular Management Agreement (MMA):** all operational TMOs will sign an MMA with their landlord outlining their roles and responsibilities as a managing agent for housing services on their estate.

- N. Non Members:** all residents on a TMO estate have the option to not become a member of a TMO. However, they are entitled to receive and express their views on the services they receive.
- O. Openness:** all TMOs are expected to operate their business in a transparent manner, demonstrating reasons for decisions, providing regular opportunities for customer feedback and publishing their use of monies.
- P. Performance Monitoring:** the TMO will be responsible for achieving agreed performance indicators and monitoring their adherence to these targets.
- Q. Quorum:** this is the minimum number of members required to make a valid decision on a company action at either a board or general meeting, as stated in their company governing rules.
- R. Risk:** any TMO is expected to have a full awareness of what risks there are to their TMO and how they will manage them.
- S. Sub-committee:** all TMOs are expected to have sub-committees focused on specific aspects of service delivery, such as finance or repairs, to ensure close monitoring of all areas. Powers may be delegated to these sub-committees to enable quicker decision making.
- T. Training:** all TMOs are required to have a training plan for their board members and to support their staff in developing the necessary skills to deliver their roles.
- U. Use of Monies:** all TMOs must use their monies only for the delivery of services on the TMO estate.
- V. Voting:** all TMOs must ensure a ballot of all residents takes place every five years. This will determine if residents wish the TMO to continue and who they wish to take up board membership.
- W. Welcome Information:** all TMOs are expected to outline their values, role and responsibilities to all new members and residents on their estate.
- X. eXtraordinary:** the desire and commitment needed by TMO board members to manage their TMO.
- Y. Youth:** to sustain the long-term future of a TMO, it is important that young members are involved with the board.
- Z. Zero Exclusion:** all residents on a TMO estate must have the opportunity.

## FREQUENTLY ASKED QUESTIONS

### **Does a TMO affect my tenancy?**

No, all occupants of properties managed by a TMO remain council tenants and the conditions of tenancy remain unaffected.

### **Will I lose my right to buy?**

No, your right to buy is not affected by a TMO.

### **Will my rent go up?**

No, your rent will still be set by the council. In addition, a TMO will not affect any benefit claims you may make.

### **How can I get involved with a TMO?**

If you are a tenant or leaseholder within the boundary of a TMO you can become a member; you may also be able to become a board member to be involved with running services.

If you do not live in a TMO boundary but still want to get involved you may be able to become a co-opted member of a TMO, depending on the skills you could offer them. You could contact the TMO directly or contact the TMO Support Team to discuss your ideas.

### **Do TMO board members get paid?**

No, it is all voluntary but any expenses incurred travelling to training or attending meetings may be able to be recovered.

### **Do TMOs have staff?**

Depending on the size of the TMO and the services delivered, the TMO will have varying levels of staff. They usually have officers to complete repairs or caretakers to look after the estate; some larger TMOs may have housing officers or housing managers.

### **Will my neighbours know my business?**

No, data protection legislation protects the inappropriate sharing of information.

### **I like the concept of TMOs. Do I get preference to live in a TMO?**

No, all preferences for council housing are based upon housing need only.

### **I do not like the idea of a TMO where I live, will I get preference for a transfer?**

No, all preferences for council housing are based upon housing need only.

### **What if I don't want a TMO where I live?**

A TMO can only operate in your area if the Approved Assessor believes the group is able to manage the housing service in your area to a sufficient standard. You, and all other residents affected, will then be given the opportunity to vote to approve this. Only if 51 per cent of those voting approve the TMO – and this must include 51 per cent or more of secure tenants – will a TMO take over the management of your home.

### **Does the council help TMOs?**

The council has a dedicated TMO Support Team, who, along with local housing teams, monitor all services delivered by a TMO to ensure all tenants receive a service at least equal to that being delivered by the council. When a TMO starts to develop, the council provides a range of training and guidance to assist the TMO with developing their skills and plans to manage services.

### **How long does it take to set up a TMO?**

The length of time to set up a TMO varies. However, it could take three to five years before you are managing services.



## MORE INFORMATION, ADVICE & SUPPORT

There are a number of organisations that can support you during your development or operation as a TMO.

### **Birmingham City Council TMO Support Team**

Birmingham City Council has a dedicated TMO Support Team responsible for supporting and monitoring all TMOs that are operational or in development.

They are available to come and talk to any group interested in exploring becoming a TMO to provide advice and guidance.

Should exploring a TMO become the chosen option of your group, a TMO contract and performance officer will be assigned to your TMO as a liaison officer.

Email:

[residentinvolvement@birmingham.gov.uk](mailto:residentinvolvement@birmingham.gov.uk)

### **National Federation of Tenant Management Organisations (NFTMO)**

The NFTMO is a national voluntary membership organisation that provides networking opportunities and support for TMOs in England. It also promotes the work of TMOs, produces regular newsletters and organises events. Over 100 TMOs in England are members of the NFTMO [www.nftmo.com](http://www.nftmo.com)



