

## Tenants and Residents Association (TRA) Model Constitution

### 1. Name

The name of the TRA is Lissenden Gardens Tenants Association

The association will represent members in the area (please state the name, block or street names, covered by the association. Parliament Hill Mansions, Lissenden Mansions, Clevedon Mansions, Chester Court, The Wedge and The House

### 2. Aims

The aims of the association shall be to promote the rights and needs of Camden Council tenants and leaseholders in relation to the maintenance and improvement of their housing conditions, amenities and the environment, which will benefit all the residents within the association/group's area.

To do this the association/group shall have the following powers:

- a. to represent all the residents within the group's area
- b. to promote, support and achieve changes and improvements to the quality of life for residents and the way the Council manages and delivers its housing service
- c. to provide facilities for recreation and amenities and to encourage community cohesion
- d. to promote equal opportunities and work for good relations among all local residents as detailed in their Equal Opportunities Statement
- e. to regularly consult and inform all members
- f. to represent the majority view of the residents
- g. to be non-party political
- h. to promote social, welfare and recreational activities for the benefit of the community
- i. to promote open membership to the TRA for all members of the community

### 3. Membership

- a) Full "eligible" membership of the Association shall be open to all tenants and leaseholders over the age of 18 which live within the area covered by the TRA (licensees between the age of 16-18 are eligible for membership).

The following are allowed to be non-office holding members who are entitled to vote:

- Freeholders who live within the area and pay service charges to the Housing Revenue Account.
- Camden Council Members or employees

The following are allowed to be non-voting, non-office holding members:

- co-opted members from outside of the immediate area covered by the TRA appointed until the next AGM (they must not be a council member or employee)
- Residents from the association's area of benefit who are not any of the above – these will leaseholders, freeholders, housing association tenants and private tenants.

- b) Should a person stop living within the area covered by the TRA, they will no longer be a member of the TRA unless they are co-opted. Should this person be an elected officer of the TRA, the post will become vacant and an election for the newly vacated post must take place at the next general meeting of the TRA.

- c) In the event of continuous or serious breaches of the constitution or code of conduct, a person's membership of the TRA can be suspended or ended by a majority vote at the next general meeting. In case of a committee member breaching the code of conduct – membership can be suspended or ended by two thirds of the majority of the committee.
- d) A member or committee member whose membership has been suspended in line with the above clause shall be entitled to have that suspension reviewed at the next general meeting. A guide to Good Practice is available from the Council's Tenant and Leaseholder Engagement Team.

#### 4. Annual General Meeting (AGM)

- a. The TRA shall call an AGM each year to:
  - accept the resignations (and subsequent elections) of the TRA's officers and its committee
  - Receive the annual report of the committee and the statement of financial accounts
  - Receive reports of any member elected to represent the TRA on another body. ( e.g. District Management Committee representatives)
  - Agree the Constitution and Code of Conduct which must be available at the AGM
  - Any proposed changes to the constitution, must be presented to the membership for consideration 10 days prior to the AGM. At least 10% of the membership (or 80 per 1000 members for TRAs with over 1000 members) must be present to endorse amendments. Any endorsed changes should be noted within the relevant section on the constitution.
  - Adopt the TRA Halls Memorandum of Understanding [**see section 10**] (If applicable)
- b. The TRA must hold an AGM within 15 months of their previous AGM. Failure to do so will result in the TRA 'lapsing' and no longer being recognised by Camden Council. The bank account must not be used for TRA business during lapsed periods. In order to regain recognition, a full AGM must be held under the rules above.
- c. A minimum of 14 days' notice of the AGM should be given to all members.
- d. The AGM must be moderated by an Independent Observer, to check that the AGM has been conducted in accordance with the outlined registration process. The Independent observer must be one of the following: Council Officer, elected Councillor, District Management Committee Chair or Vice Chair.
- e. Quorum – AGMs must be quorate according to the following guidelines
  - TRAs with less than 50 households - 5
  - TRAs with 50-100 households – 10
  - TRAs with 101 – 250 households – 15
  - TRAs with 251 –350 households – 25
  - TRAs with 351 - 500 households – 35
  - TRAs with 501 – 1000 households – 50
  - TRAs with 1001 – 2000 households – 75
  -
- f. For the purposes of the election, only one vote will be allowed per household.

## 5. The Committee

- a. All TRAs shall democratically elect a committee to conduct the majority of their business. The committee shall be made up of no less than five members of the TRA unless the TRA has less than 50 members in which case this is three members.
- b. As part of the committee, a TRA must elect officers: a Chairperson, a Secretary, a Treasurer, and a District Management Committee Representative (this increases to two if the TRA area of the TRA contain 300 or more eligible members)
- c. The TRA may also elect officers to represent the TRA on any other relevant strategic group or body at a general meeting.
- d. No more than one individual from a single household shall be able to vote on a TRA's committee.
- e. Only tenants and leaseholders of Camden Council are eligible to be officers or on the committee of a TRA.
- f. The majority of the Committee and its elected officers should be tenants, in order to be broadly representative of the area covered by the TRA. Should exceptional circumstances make this impossible, a temporary relaxation of this rule may be allowed at the discretion of the Council.
- g. The committee and/or its chair has the power to delegate business to sub-committees, for example finance. These can be chaired by any committee member.
- h. Any vacancies on the committee or officers arising from a resignation or otherwise should be filled by an existing committee member [for officer positions] until the next general meeting. At this meeting, a replacement member should be democratically elected from within the membership of the TRA.
- i. Copies of the constitution are free to all members of the association. The secretary must send out copies of the constitution within seven days of a person requesting it.

## 6. General Meetings

- a. Each TRA should hold three general meetings and/or public events per year (1 of which should be the AGM). General meetings can form part a TRA social event to encourage attendance. TRA business can take place for a portion of the event.
- b. A minimum of 14 days' notice of the general meeting shall be given to all members.
- c. Where possible a reminder should be given
- d. Meetings are open to all eligible members of the TRA [**see section 3: membership**]. Attendance records should be kept to show active membership.
- e. The quorum for general meetings is as above in section 4e.
- f. Decisions of the general meeting shall be binding on the committee.
- g. Decisions of the general meeting shall be made via a simple majority of votes.
- h. As with the AGM, there will only be one registered vote per household.

## 7. Special General Meetings

A special general meeting may be called by the committee or if requested by at least 10% of members. This request must be made in writing to the secretary at least 14 days before the requested meeting date. The secretary must then send written notice to all members at least 7 days in advance of the meeting.

## **8. Committee meetings**

- a. The quorum of the committee meetings shall be 30% of committee members
- b. Committee meetings may be called by the chair and secretary or the request of one-third of the committee members. As least 7 days' notice must be given to committee members.
- c. All committee meetings are open to all members as observers on request. Dates of Committee meetings shall be available to all members i.e. advertised in notice public boards (not less than 7 days' notice for each meeting).
- d. If a committee member misses 3 consecutive meetings without apologies, the rest of the committee may choose to suspend or exclude that member from the committee.

## **9. Code of Conduct**

All TRAs must adopt and agree to abide by the Tenant and Leaseholder Engagement Code of Conduct at each AGM.

## **10. TRA Halls Memorandum of Understanding**

- a. All TRAs that manage a TRA hall must adhere to the Council's TRA Memorandum of Understanding for the management of TRA halls.
- b. All TRAs that manage a TRA hall must complete the Council's TRA Hall insurance cover questionnaire and return the completed form as part of their TRA registration documents (please see Guide to TRAs for this information).

## **11. Conduct of Business**

- a. At all meetings (except those dealing with alterations to the constitution) decisions shall be taken by a simple majority of those members present and eligible to vote.
- b. In the event of a tie in voting, the chair of the meeting shall have the casting vote. The chair of the meeting will not have a vote otherwise on any other resolution.
- c. Conflict of interest must be declared. Members with a conflict of interest should then withdraw from discussions and voting on the issue in question.

## **12. Minutes**

- a. All votes at an AGM, general meeting, special general meeting or committee meeting shall be counted and recorded in the minutes.
- b. All formal meetings such as committee meetings, special general meetings and minutes taken of AGMs to be formally approved at the next AGM meeting and posted on noticeboards in the area.

## **13. Finance**

- a. A simple record of income and expenditure must be produced each year at the AGM and should be available to all members on request.
- b. Accounts should be independently audited if the turnover is over £5k per year.
- c. Accounts should be open to inspection by the members on request.
- d. All monies raised by or on behalf of the TRA shall be applied to further the aims of the TRA and for no other purpose.

- e. Account(s) must be opened in the name of the TRA. Cheques, transfers and other banking instruments or instructions shall be signed by at least two signatories from separate households and are unrelated who must also be members of the committee.
- f. Use of the TRA bank debit card can only be used with approval of the committee
- g. Proper records of all transactions including petty cash must be kept.
- h. The Treasurer must present quarterly financial reports to the committee.
- i. After 15 months without an AGM, within six months of this date, the bank account shall be closed and dissolution rules followed below.

#### 14. Dissolution

- a. The TRA can only be dissolved by a special general meeting called to consider a motion to dissolve the TRA with 14 days' notice to all members of this intention.
- b. The TRA can only be dissolved if all members are notified of this intention 14 days in advance and two thirds of the members present vote for the motion to dissolve the TRA.**
- c. The meeting shall decide on the disposal of any assets remaining after the satisfaction of debts and other liabilities.
- d. All assets of the TRA must be applied to charitable purpose agreed with the members of the TRA
- e. Any Council assets the TRA has been permitted to use, but which have not been transferred into ownership of the TRA by the way of outright donation or gift must be returned to the Council.

Each TRA may decide to include specific clauses which are relevant to your area.

- 1. ....
- 2. ....
- 3. ....
- 4. ....

This Constitution was adopted as the Constitution of:  
Lissenden Gardens Tenants Association at a public meeting held at the Heath Education Centre on 21<sup>st</sup> June 2014

Signed

St.John Wright  
(Chair)