
Overview

This standard is relevant to any managers who are involved in the establishment of management agreements.

Management agreements will typically cover the level of service, the type of property, the people involved and charges and will clearly state:

- what your company will do
- what your company won't do
- what your company will do but only with additional charges

Background documentation may include:

- leases / deed of conditions / title conditions
- memorandum and articles of resident management companies / resident groups / owners associations
- legislation
- codes of practice

In Scotland, managers will need to understand:

- The implications of the law including but not restricted to:
 - Title Conditions Act 2003
 - Tenement Act 2004
 - Abolition of Feudal Tenure (Scotland) Act 2000
 - Housing Scotland Act 2006
- The key differences between English and Scottish systems

This standard covers:

- identifying the needs of interested parties with respect to management agreements
- setting up management agreements

ASTRBM02

Set up management agreements for property

Performance criteria

Identify the needs of interested parties

- You must be able to:*
- P1 identify which parties have a relevant interest in the management of the property
 - P2 provide information to interested parties on the types of services which can / cannot be offered (including those which may be provided by others e.g. lawyers) and the relevant charges for these services
 - P3 communicate with all relevant interested parties (including legal / regulatory bodies, freeholders / resident's associations and individual service charge payers / owners) to determine their needs with respect to management of the property
 - P4 evaluate the implications of the needs of interested parties (including legal / regulatory bodies, freeholders / resident's associations and individual service charge payers / owners)
 - P5 record the information provided by interested parties and the results of your evaluation

Set up management agreements

- You must be able to:*
- P6 identify the type of management agreement which is most appropriate to the property and circumstances
 - P7 select and collate the required documentation for a draft management agreement
 - P8 identify the information which must be entered into the agreement documentation
 - P9 produce a draft agreement which states the responsibilities of all parties and gives an accurate description of the management services to be provided
 - P10 take account of the needs of all interested parties (including your client, your company and individual service charge payers / owners), so far as this is practicable and appropriate
 - P11 check draft agreements with relevant people within your company
 - P12 explain the content and implications of the draft agreement to your client
 - P13 make any necessary changes to the draft agreement and check that the information contained in the agreement is accurate
 - P14 the final management agreement is completed and signed in line with legal requirements and procedures
 - P15 provide copies of the agreement to all relevant interested parties

ASTRBM02

Set up management agreements for property

Knowledge and understanding

Identify the needs of interested parties

You need to know and understand:

- K1 how to identify relevant interested parties
- K2 how to communicate effectively with others
- K3 the sources of information on the needs and requirements of interested parties
- K4 the types of services which your company is allowed to offer under the terms of leases / deed of conditions / title conditions
- K5 the background documentation which you must consult
- K6 which services may attract additional charges
- K7 how to evaluate the implications of the needs of interested parties
- K8 how to record information and the outcomes of your evaluation
- K9 the implications for your work of relevant legislation, guidelines and codes of practice relating to property management

Set up management agreements

You need to know and understand:

- K10 the management agreement(s) which is (are) available for you to use
- K11 background documentation which must be consulted when drawing up management agreements
- K12 the documentation required for management agreements
- K13 how to fill out agreement documentation
- K14 the management services which you are offering
- K15 how to take account of the needs of interested parties
- K16 how to explain management agreements
- K17 the length of contract involved in management agreements
- K18 the ways in which draft management agreements can be amended
- K19 procedures for signing agreements
- K20 the legal requirements relating to management agreements
- K21 who should be provided with copies
- K22 the implications for your work of relevant legislation, regulations, guidelines and codes of practice
- K23 the basic principles of building construction and maintenance

ASTRBM02

Set up management agreements for property

Developed by Asset Skills

Version number 2

Date approved September 2011

Indicative review date September 2016

Validity Current

Status Original

Originating organisation Asset Skills

Original URN ASTRBM02

Relevant occupations Residential Block Manager; Property Manager

Suite Residential Block Management

Key words Agreements; establish; management; property; block; residential