

ASTRBM2

Set up management agreements for property



Overview

Who this standard is aimed at

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

What the unit covers

This standard is made up of two elements:

Element 1 covers identifying the needs of interested parties with respect to management agreements.

Element 2 is about setting up management agreements.

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Performance criteria

Identify the needs of interested parties

You must be able to:

- P1 you identify which parties have a relevant interest in the management of the property
- P2 you provide **information** to interested parties on the types of services which can be offered
- P3 you communicate with all relevant **interested parties** to determine their needs with respect to management of the property
- P4 you evaluate the implications of the needs of **interested parties**
- P5 you record the information provided by interested parties and the results of your evaluation

Set up management agreements

You must be able to:

- P6 you identify the type of management agreement which is most appropriate to the property and circumstances
- P7 you select and collate the required documentation for a draft management agreement
- P8 you identify the information which must be entered into the agreement documentation
- P9 you produce a draft agreement which states the responsibilities of all parties and gives an accurate description of the management services to be provided
- P10 you take account of the **needs** of all interested parties, so far as this is practicable and appropriate
- P11 you check draft agreements with relevant people within your company
- P12 you explain the content and implications of the draft agreement to your client
- P13 you 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 you provide copies of the agreement to all relevant interested parties

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Knowledge and understanding

You need to know and understand:

Identify the needs of interested parties

- 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/deeds 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

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Additional Information

Scope/range

Identify the needs of interested parties

You must identify and evaluate the implications of the needs of the following types of **interested party**:

1. legal/regulatory bodies
2. freeholders/residents associations etc.
3. individual service charge payers

You must also provide **information** on:

4. services which can be offered
5. services which cannot be offered
6. services which may be provided by others
7. charges

You must also show that you have the knowledge and understanding stated in this element.

Notes

“Services provided by others” might include those provided by lawyers.

Background documentation may include:

8. leases/deeds of conditions/title conditions
9. memorandum and articles of resident management companies
10. legislation
11. codes of practice

In Scotland, managers will need to understand the implications of the common law of tenement

Set up management agreements

You must set up management agreements to meet the **needs** of:

12. your client
13. your company
14. individual service charge payers

You must also show that you have the knowledge and understanding stated in this element.

Notes

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Background documentation may include:

15. leases/deeds of conditions/title conditions
16. memorandum and articles of resident management companies
17. legislation
18. codes of practice

In Scotland, managers will need to understand the implications of the common law of tenement

Management agreements will clearly state:

19. what your company will do
20. what your company won't do
21. what your company will do but only with additional charges

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

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