



ARHM GOOD PRACTICE NOTE

Model Constitution

The Association will be called _____

1. Boundaries

The Association covers the following area/blocks/numbers/addresses.

2. Objectives

The objectives of the Association shall be:

- a) To protect and advance the interests of all owners covered by the Association on matters concerning housing, the environment, social, and community life of the scheme
- b) To encourage community spirit and to work towards the elimination of all forms of discrimination
- c) To promote the interests and rights of home owners
- d) To ensure that all members are consulted regularly and that all residents eligible for membership are encouraged to join
- e) To preserve and support the facilities and amenities of the area
- f) To help build a good relationship between residents and the manager
(substitute Landlord, Freehold Owner or Managing Agent if appropriate)

3. Membership

Membership of the Association is open to all home owners (leaseholders or freeholders but not sub-tenants) but voting shall be restricted to one vote for each flat or house or bungalow.

(adapt to situation)

Membership of the Association shall cease upon any member giving written notice to that effect, upon any member ceasing to be a home owner, or upon failure by a member to pay the annual subscription within 3 months after the subscription shall become due.

4. Subscriptions

All members shall pay such subscriptions as the Annual General Meeting shall determine.

5. The Officers

The officers of the association shall be a chair, secretary and treasurer. However the roles of secretary and treasurer may be combined.

The officers shall be members of the Association and shall be elected annually at the annual general meeting and shall serve for one year but may be re-elected.



6. Committee

- a) The Association shall be managed by a Committee comprised of the Officers and (-) other members of the Association also to be elected at the Annual General Meeting. Committee members other than officers shall be elected to serve for 3 years and shall retire in rotation.
- b) A quorum shall be a minimum of 2 or sixty per cent of Committee Members whichever is the greater.
- c) No meeting shall take place without a quorum.
- d) Any Officers or Committee Members must declare any relevant personal interest. The Committee shall have the right to determine whether that member should withdraw, or be allowed to speak and vote.

7. Annual General Meeting

- a) The Committee shall arrange an Annual General Meeting in (*insert month*) of every year.
- b) At this meeting:-
 - The Committee shall present an annual report of the Association
 - Any sub-Committees should report on their activities
 - The Treasurer shall present the audited accounts of the Association for the past year
 - 30% of the Committee should resign annually being those with the longest service on the Committee
 - The Officers shall be elected by secret ballot
 - An auditor shall be appointed who shall not be a Committee Member
 - The vacancies amongst Committee Members should be elected/re-elected by secret ballot
 - Any proposals and nominations should be submitted to the Secretary in writing not less than seven days in advance of the meeting shall be considered
- c) The Annual General meeting vote on any recommendations and approve any amendments to the Constitution.
- d) The Secretary shall notify all members of the date of the Annual General Meeting not less than 14 days in advance.
- e) A representative of the Manager may be invited to attend.
- f) Quorum for the meeting shall be 25% of the members.
- g) The minutes of the Annual General Meeting should be copied to all members and the representative of the Manager, and should be publicised and pinned to any notice board in the area.

8. General Meeting

- a) There shall be a General Meeting open to all members every _____ weeks/month(s) (*state the number of weeks or months*)
- b) There should be a minimum of two open meetings per year for members of the Association to discuss issues, and these should be publicised in advance.



9. Special Meetings

- a) Special General Meetings open to all members can be held for the purpose of altering the Constitution or for considering any matters which the Committee may decide should be referred to the Members in general. The Secretary or Chair shall call such meetings at the request of not less than 3 Committee Members, or at the written request of not less than 60% of ordinary members. The Secretary shall arrange for such a meeting to take place within 21 days.
- b) The Secretary must give at least 14 days notice of the Special General Meeting to all members.

10. Sub-Committees

The Committee may appoint a sub-committee from amongst members of the Association to carry out special activities of the Association. Any sub-committee formed will keep accounts of their spending and a record of the Meetings

11. Role of The Secretary

- a) The Secretary will let members know about meetings, and keep notes describing what happened at the general and committee meetings. Such notes shall be made available to any members on request and published on a notice board where one is available.
- b) The Secretary will keep a list of all the Association's Members and annually provide a copy of the list to the Manager.
- c) The secretary should make all correspondence with the Manager available on the notice board or to members on request.

12. Finance

- a) The financial year of the Association shall end on _____ in each year.
- b) All money granted to, or raised by, the Association shall be used for the benefit of the Association's Members or in accordance with the objectives set out in the Constitution.
- c) All expenditure must receive prior agreement from the Committee. Expenditure other than petty cash shall be formally approved and minuted and must have due regard to any legal requirements and good custom and practice.
- d) The Treasurer will open a Bank Account in the Association's name. Cheques should be signed by the Treasurer and at least one other Committee Member. The Treasurer will keep an account of money spent by the Association and every year will give the books to an Auditor to be checked.

13. Alteration of the Constitution

Any alterations to this constitution shall require the approval of a two-thirds majority of those present and voting at the General Meeting at which it is discussed. Any resolution for the alteration of the Constitution must be received by the Secretary at least 28 days before the meeting at which the resolution is to be brought forward.

14. Dissolution of the Association

- a) The Association may only be dissolved by a Special General Meeting called for that purpose and advertised at least 14 days in advance.
- b) Any proposals to dissolve the Association shall take effect if agreed by two thirds of the members present.
- c) All funds, documents and possessions belonging and relation to the Association shall be disposed of.



This Constitution was adopted as the Constitution of the Association at a public meeting held on

_____ 20 _____

Signed _____ Chairperson

Signed _____ Secretary

DISCLAIMER:

These notes have been prepared in the light of legislation and case law existing at the time of publication as a recommended procedure only. No liability can be accepted by the Association of Retirement Housing Managers for errors or omissions or for any loss or damage sustained by anyone acting in accordance with these notes. If the reader is in any doubt as to the application of these notes to particular circumstances he/she should consult a Solicitor.