



Guide to joining ARMA



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Introduction

To be an ARMA Member, managing agents must become ARMA-Q accredited, meet the ARMA-Q Standards and operate according to the principles in the Consumer Charter. Together with the requirements set out in ARMA's Articles of Association and Bye-laws, these form the rules of ARMA membership.

What is ARMA-Q?

ARMA-Q is the self-regulatory regime for ARMA Members. Its aim is to protect consumers and deliver a recognised advantage to our Members through professional self-regulation that guarantees probity, accountability and best practice in all dealings between residential managing agents, intermediaries, landlords and leaseholders. It features:

- a Consumer Charter
- Standards that are specific to managing agents
- an independent Regulatory Panel.

The ARMA-Q Standards have been written to apply to residential long leasehold properties (a lease of a term in excess of 21 years when originally granted) in England and Wales where a service charge, which varies according to the expenditure, is payable. Landlord and tenant legislation does not apply to freehold houses on managed estates and therefore the Standards do not apply to them. However, the principles of the Consumer Charter still apply to those properties.

ARMA will keep the Standards under review, and may change them from time to time in the light of experience.

What it means to be an ARMA Member

Managing agents that achieve Member status have successfully demonstrated that their company accepts, endorses and complies with: the principles of the Consumer Charter; the ARMA-Q Standards; and the rules of ARMA membership.

Membership of ARMA is voluntary, so managing agents that join ARMA show a clear commitment to offering the best customer service and the highest possible standards.

The ARMA-Q Standards represent the core of good practice for managing agents. We believe they are achievable by any well-run company. We are looking to our Members to meet the spirit of both the Consumer Charter and the Standards. This is the starting point. Over time we will aspire to 'raise the bar' even further to ensure that all our Members meet the highest standards of financial probity and customer service.

Guide to joining ARMA

This guide sets out:

- the process for applying for membership
- guidance available to help you through the process
- FAQ's.

Applying to join ARMA

There are three ways in which companies can become involved with ARMA: as a Member, as an Associate or as an Affiliate. A full explanation of each category of involvement is published on the ARMA website www.arma.org.uk, and annexed to this document (see page 25).

Eligibility for ARMA membership

1. Membership

If your company has been trading successfully as a managing agent in residential long leasehold management for at least two years', you are eligible to apply to become a Member, whether or not you have previously been an Associate (see point 2).

To become an ARMA Member you must become accredited under ARMA-Q as part of the application process. This applies to:

- **Associates eligible to convert to Members**
- **new applicant companies that have traded successfully as managing agents of residential long leasehold block management for at least two years**
- **Housing Associations that have managed residential long leasehold property, either their own property or that of another landlord, for at least two years.**

ARMA Membership is awarded by ARMA's Council on the recommendation of the ARMA Secretariat. Members will be regulated by the independent Regulatory Panel and required to comply with all the membership rules, including the ARMA-Q Consumer Charter and Standards.

Once you have achieved accreditation, subject to satisfactory annual membership renewals and successful ARMA-Q audits, you will retain this status for as long as you remain an ARMA Member.

Member level benefits include: technical support; access to over 100 Guidance Notes; discounted training; networking/briefing events; access to a free business advice line; and our weekly circular and quarterly magazine.

2. Associate status

The Associate category is for managing agents that are working towards becoming a Member, but don't yet meet the two year trading rule, or who may have had their application for accreditation declined.

This is a transitory category where maximum periods are set and you will either progress to Member, or if still not qualified to do so after the specified period, will no longer receive Member level benefits (see point 1) and may be asked to leave.

As an Associate, you will receive all the Member level benefits, will be regulated by the independent Regulatory Panel and required to comply with all the membership rules, with the exception of the ARMA-Q Consumer Charter and Standards, although compliance will be encouraged.

However, as an Associate you are not permitted to use the ARMA logo or promote yourself as an ARMA Member, and you are unable to attend meetings or to vote in respect of the company affairs of ARMA.

3. Affiliate status

Affiliate status is open to:

- **commercial: service providers that are not managing agents such as accountancy firms, solicitors, developers etc**
- **non-commercial: companies or organisations that are involved in the management of leasehold blocks of flats but not eligible for Membership such as Landlords, Residents Managing Companies, Right to Manage Companies and Residents Associations**
- **Housing Associations: those acting in their capacity of registered providers, which do not manage residential long leasehold property.**

As an Affiliate, you are not permitted to use the ARMA logo or promote yourself as an ARMA Member, and you are unable to attend meetings or to vote in respect of the company affairs of ARMA. Affiliates are not regulated by the independent Regulatory Panel, but you will receive all the Member level benefits (see point 1).

Housing associations

Housing Associations with two years' successful experience of managing residential long leasehold property are eligible to apply for ARMA Membership (see point 1). They must comply with the ARMA-Q Standards, as well as operating within the Regulatory Framework of the Regulation Committee of the Homes and Communities Agency. The Regulatory Framework contains the fundamental obligations for Housing Associations that are registered providers of social housing.

In your capacity as a registered provider, you are not required to comply with statute S.42 Landlord and Tenant Act 1987, which relates to holding service charge money in trust. Accreditation under ARMA-Q requires this under Standards 4.1 and 4.2.

Housing Associations can join ARMA as Affiliates (see point 3) if they are acting solely as registered provider or as an estate landlord that does not self manage any residential long leasehold property. This means that you are not required to adhere to the ARMA-Q Standards. If this position changes and you start to manage residential long leasehold property, either your own stock or that of another landlord, you will be required to apply to become an ARMA Member.

If you are a Housing Association that has yet to join ARMA you should, however, consider doing this as a positive move to enhance your competitiveness in the open market, as a demonstration of the quality of your service to leaseholders and your knowledge of long leasehold issues.

The process

How to apply

1. Member

Whether you are a new Member applicant or an eligible Associate converting or a Housing Association, the three-step application process on page 9–10 sets out the application process that you must follow.

Our objective is to ensure that all applications are successful, and we will work with you to achieve this. But, to protect the value of Membership the application process will be rigorously applied.

We have tried to make the application process as straightforward as possible. You can apply online via a portal on the ARMA website once you have submitted a membership enquiry form and paid the appropriate application fee (see page 11) to obtain log on details to the portal. You are also able to upload and submit all supporting documents with your application. This will reduce paperwork, and allow you to save and return to your application at a different time. Initial membership enquiries from new applicants should be made via our website.

We reserve an absolute discretion to refuse any applicant Member status, even if published criteria have been met and the application fee has been paid.

To apply for Membership, evidence of compliance with the ARMA-Q Standards and Consumer Charter must be submitted. This includes:

- the membership application form
- documentary evidence
- details of required references (see the online application form)
- documentary evidence required for ARMA-Q accreditation — Member only (see page 12)
- company procedures required for ARMA-Q accreditation — Member only (see page 14).

2. Associate

If you are joining ARMA for the first time and meet the eligibility requirements (see pages 6–7), the process to become an Associate is similar to that described for becoming a Member. Your unique log on details will automatically direct you to the Associate online application form. The difference is that you are not required to submit documentary evidence or company procedures or confirm agreement to the first two points of the three-step application process.

Once you become an Associate, having paid the entrance fee (see page 11), we would encourage you to start working towards becoming a Member as soon as possible. This means that when you meet the additional Member requirements you are ready to apply. Once you have paid 50% of the application fee (see page 11) ARMA will give you early access to the Member online application portal and sample template procedures.

We would normally expect to notify successful Associate applicants within one to two months. Once notified of your successful application you will be invoiced for the annual subscription fee (see page 11). On payment you will be awarded Associate status (see page 6).

We reserve an absolute discretion to refuse any applicant Associate status, even if published criteria have been met and the application fee has been paid.

3. Affiliate

Affiliates are not eligible at any point to become a Member or Associate because of the nature of their business. To become an Affiliate, please register your interest at info@arma.org.uk and we will provide you with an entry form. Once the form is completed and returned, along with the entrance fee (see page 11), your application will be processed. Once notified of your successful application you will be invoiced for the annual subscription fee (see page 11). On payment you will be awarded Affiliate status (see page 7).

We reserve an absolute discretion to refuse any applicant Affiliate status, even if published criteria have been met and the application fee has been paid.

Housing Associations

Housing Associations are eligible for Member, Associate or Affiliate status. This will depend on the eligibility criteria that you meet (see pages 6–7).

Three-step application process

Step 1

Log in to the application portal, using log-on details supplied. Depending on your current membership status, your unique log on details will automatically direct you to the correct online application form; Member or Associate.

Complete the online membership application form



Step 2

Upload the requested information to support your application. The below is a full list but the documents required for your application will depend on your eligibility for Member or Associate status. Your unique log on details will automatically request the required documents:

- ARMA's Professional Indemnity Insurance compliance certificate
- your accountant's report on client's accounts/RICS Annual Return
- your health & safety policy statement
- your complaints procedure
- your current terms of business
- documentary evidence
- your most recent full set of corporate accounts
- any literature you have on your management services
- company procedures
- a signed declaration of compliance.

The design of the electronic application form means that you will not be able to submit your application if it is incomplete or if any requested documents have been omitted.

Before submitting your application you will be asked to pay the appropriate application fee (see page 11). You can pay directly online or we can issue an invoice on request. Once the application has been submitted you will receive an email acknowledgement. All fees are non-refundable.

If we find any errors or omissions in your application, we will explain these to you in detail and ask you to resubmit the application once you have taken the required actions.

In the majority of cases there should be no need for ARMA (or an appointed representative) to visit your company's premises, but we reserve the right to do so should this be necessary.

We may require, obtain and take into account further information in relation to the past conduct and character of applicants and associated companies or businesses and their officers, employees and agents.

We would normally expect to notify successful applicants for Membership within two to three months. Once notified of your successful application, you will be invoiced for the annual subscription fee (see page 11). On payment, you will be awarded Membership and receive all Member level benefits (see page 6).



Step 3
Accept the Declaration of Compliance.

At the end of the application process you will be asked to state that your company:

- **is fully compliant with the ARMA-Q Standards — Member only**
- **operates according to the principles in the Consumer Charter — Member only**
- **operates within the requirements set out in ARMA's Articles of Association and Bye-Laws.**

Application fees

Size of company	Fee	VAT	TOTAL fee
< 500	£150	£30	£180
501 - 2,000	£300	£60	£360
2,001 - 4,000	£500	£100	£600
4,001 - 8,000	£800	£160	£960
8,001 - 20,000	£2,000	£400	£2,400
20,001 - 50,000	£5,000	£1,000	£6,000
50,001 - 100,000	£7,500	£1,500	£9,000
> 100,001	£10,000	£2,000	£12,000

Entrance fees

	Fee	VAT	TOTAL fee
	£50	£10	£60

Subscription fees

ARMA's membership year runs from 1 May to 30 April. The annual subscription fees are set by the Council and the current rates are available on request.

Members pay the full rate base on the number of residential leasehold units in management.

Associates will receive a 20% reduction on the Member subscription fee based on the number of residential leasehold units in management.

Affiliates pay a set fee regardless of size of company and the current rates are available on request.

Housing Associations pay a fee dependent on their membership status.

Confidentiality

We will treat your application and all the supporting documents submitted as completely confidential, and we acknowledge the need to protect commercially sensitive data. We will protect your company's privacy and process the information in line with the Data Protection Act 1998. Only those that have a legitimate reason will see any applicants' information.

Role of the independent Regulator and Regulatory Panel

If a company is found to have given false or misleading information to gain Member or Associate status it will be referred to the Regulator as a potential case for disciplinary action. This carries the possibility of removal from ARMA membership.

Documentary evidence

Your application for Member status must include representative examples of the following documents, as used by your company. To help you we have quoted the relevant ARMA-Q Standard where appropriate.

Depending on the size of your company, you should provide sample documents for one or more representative blocks in your portfolio as set out in the sliding scale below:

Size of company/ housing association (units in management)	< 500	500 – 2,000	2,001 – 12,000	12,001 – 35,000	> 35,000
No of sample documents	2	3	4	7	9

So, for example, if you manage 600 units you should provide copies of your Management Agreement for three individual and separate blocks. Each block should be wholly unconnected to all others provided as part of your application by way of client instruction. If you substitute an alternative client for any piece of documentary evidence, you should explain why this has been done within the Declaration of Compliance.

- Management Agreement**
The client will always have the final legal responsibility for the full and proper management of the property but, through the Management Agreement, the client is delegating this responsibility to the manager as duly appointed agent. The Management Agreement is an agreement in writing between the Managing Agent and the client containing a statement of: the duties and services to be provided; the Management Fee to be charged; and how the Managing Agent will monitor routinely the quality and cost-effectiveness of all services.

The Management Agreement is referenced throughout the Standards, and, where applicable, those Standards should be reflected in the Management Agreement.
- Introductory information to new and subsequent leaseholders**
[ARMA-Q Standard – 2.2.d Contract and Charges](#)
When agreeing a contract and charges for management services, the Managing Agent: Must ensure that every Leaseholder is provided with full contact details of the Managing Agent.
- Basic summary of terms and duties**
[ARMA-Q Standard – 2.2.e Contract and Charges](#)
When agreeing a contract and charges for management services the Managing Agent: Should subsequently make available a basic summary of their terms and duties to Leaseholders on request.
- Notice to or from Bank or Building Society**
[ARMA-Q Standard – 4.1 Bank Accounts](#)
If holding Client Money, the Managing Agent Must open one or more Client Bank Account.

See: The Service Charge Contributions (Authorised Investments) Order 1988 (SI 1988/1284. Amended by the Financial Services and Market Act 2000 (Consequential Amendments and Repeals Order 2001 (SI 2001/3649))

On opening a Client Bank Account the Managing Agent:

- a) Must give or receive notice In Writing to or from the bank or building society concerned that:
 - i) all money to the credit of that account is Client Money and that the bank or building society is not entitled to combine the account with any other account or to exercise any right of set-off or counterclaim against money in that account in respect of any sum owed to it on any other of the Managing Agent’s accounts;
 - ii) any interest payable in respect of sums credited to the account should be credited to that account;
 - iii) they require the bank or building society to acknowledge In Writing that it accepts such notice.

- **Service Charge year end accounts, including balance sheet**
[ARMA-Q Standard – 4.2.4 End of Year Service Charge Accounts](#)
Where the Lease sets out the way in which Service Charges are to be accounted for, then the requirements of the Lease Must be followed. Managing Agents Should also follow the guidance contained in the publication Residential Service Charge Accounts Technical Release 03/11 issued by the professional accountancy bodies jointly with the Association of Residential Managing Agents and the Royal Institution of Chartered Surveyors.

Managing Agents Must always prepare documentation to enable the production of Service Charge Accounts.

Service Charge Accounts Should be distributed within 18 months of the date expenditure exceeded the budget or any tighter timescales that are required by the Lease and copies made available to all Leaseholders paying Variable Service Charges.

If Service Charge Accounts are not distributed within 18 months of the date expenditure exceeded the budget, a Section 20B Notice Should be served on an interim basis and any such notice Must be followed by Service Charge Accounts within a reasonable time.

See: S.20B Landlord and Tenant Act 1985

When preparing Service Charge Accounts the Managing Agent Must:

- a) ensure these, and any supporting documents, are transparent in that they reflect all the expenditure in respect of the accounting period whether paid or accrued;
- b) not distribute interest earned to the contributing Leaseholders but show this as a credit in the Service Charge Accounts and this Should be retained within the fund and used to defray Service Charge expenditure;
- c) follow the requirements of the Lease where the Lease sets out the way in which surplus and/or deficits Should be accounted for. Where the Lease does not, Managing Agents should follow S.19(2).

See: S.19(2) Landlord and Tenant Act 1985

Company procedures

A company procedure is required for each of the following Standards when applying for Member status. There may be variations from block to block and either your company procedures should provide an explanation for this or you should include an explanation on your application within the Declaration of Compliance. Only one of each company procedure is required. Each Standard that refers to a required procedure is set out below.

If your procedures change after accreditation, this should be reported in the annual membership renewal. The renewal forms provide for this.

Sample template procedures for each Standard are available and further details are set out in the Guidance section on page 17.

If a complaint is received with regard to any of these Standards, the starting point for investigation will be to look at the procedure submitted by the Member.

- **Residents' Association voluntary recognition procedure**
[ARMA-Q Standard — 3.2.1 Voluntary recognition](#)
Managing Agents Should have a procedure by which to voluntarily give recognition to Residents' Associations representing the majority of Leaseholders subject to the Client's agreement.

The procedure adopted for voluntary recognition Must be set out In Writing when recognition is first given and procedures put in place to ensure that these criteria are continually met to ensure that the Residents' Association continues to act in the interest of the majority of Leaseholders in a fair and democratic manner.
- **Permission request procedure**
[ARMA-Q Standard — 3.3 Assignments, Alterations, Improvements & Other Permissions](#)
When dealing with assignments, alterations, improvements or other permissions required from a Landlord the Managing Agent:
 - a) Should have procedures in place for responding to requests from Leaseholders for permissions required under the Lease.
- **Compliance procedure**
[ARMA-Q Standard — 3.4 Breach of Covenant, Enforcement & Forfeiture Proceedings](#)
Prior to and when dealing with any breach of covenant, enforcement or forfeiture proceedings the Managing Agent:
 - d) Must have procedures in place, as agreed with their Client, to remedy any breaches of covenant in a timely manner.
- **Lease extension and enfranchisement procedure**
[ARMA-Q Standard — 3.5 Lease Extension & Enfranchisement](#)
When dealing with Lease extensions and enfranchisement the Managing Agent Must:
 - a) have appropriate procedures in place for dealing with any notices in a timely manner.

- **Debt recovery procedure**
[ARMA-Q Standard — 4.6 Arrears & Recovery](#)
Managing Agents Must have a written procedure for monitoring arrears and debt recovery which is clearly, consistently and reasonably applied and, if necessary, tailored for individual Clients.

Clients Must be made aware of those procedures, how far they will go and at what stage the Client may have to pay or indemnify the Managing Agent if further action is taken.

When dealing with arrears the Managing Agent:
 - a) Must inform the Client promptly In Writing, of any situation involving significant arrears and take the Client's Instruction as to the next steps or have agreed standing instructions in place;
 - d) Should have procedures in place to guard against the possibility of waiver of the right to forfeiture when acting on behalf of the freeholder or head Landlord with a reversionary interest.
- **Contractor and administration procedure**
[ARMA-Q Standard — 5.1 Contractor Appointment & Administration](#)
When appointing a contractor the Managing Agent Must not exceed the authority given to them by the Client and Must have:
 - j) appropriate control systems in place to ensure that works have been completed to an acceptable standard;
 - k) a procedure in place to deal with complaints by Leaseholders alleging unsatisfactory work or damage.
- **Repairs and maintenance procedure**
[ARMA-Q Standard — 5.2 Repairs, Maintenance, Renewals & Improvements](#)
When dealing with repairs, maintenance, renewals and improvements the Managing Agent:
 - e) Must ensure that procedures are in place to deal with repairs and maintenance within appropriate timescales having regard to the urgency of the matter and the availability of funds.
- **Out of hours procedure**
[ARMA-Q Standard — 5.2.g Repairs, Maintenance, Renewals & Improvements](#)
 - g) Should have procedures in place for dealing with urgent out of hours emergency repair work.
- **Employee training policy**
[ARMA-Q Standard — 5.3 Staff Employment & Staff Management](#)
The Managing Agent Must clearly define who the employer of any on-site staff is and all documentation issued Should reflect this. Where agency staff are employed there Should be an appropriate agency contract.

When dealing with employment of staff the Managing Agent Must:

- d) put procedures in place and follow these to induct and provide ongoing training to ensure staff are professionally competent to undertake their defined duties.

- **Insurance Claims handling procedure**

[ARMA-Q Standard — 5.4.2 Insurance Claims](#)

Where the Managing Agent is not authorised to undertake claims handling, the claimant Must be referred to the broker or insurer. Where the Managing Agent is authorised to deal with claims they Must:

- a) have a procedure for processing the claim without unnecessary delay being aware that Leaseholders have the right to notify insurers of possible claims.

- **Complaints handling procedure**

[ARMA-Q Standard — 7.1 Disputes](#)

When dealing with disputes the Managing Agents Must:

- a) maintain and fully implement a published complaints handling procedure appropriate to the size and structure of their organisation meeting the minimum requirements of ARMA and/or any other professional organisation to which they are members;

- **Termination and handover procedure**

[ARMA-Q Standard — 7.2 Terminations & Handovers](#)

Managing Agents Must follow the guidance contained in the publication 'Guidance Note F07 Management Handovers' (replicated to be publicly available 'Advice Note Changing Managing Agent') issued by the Association of Residential Managing Agents and:

- a) Must deal with any handover in a professional, competent and efficient manner which Should be within agreed timescales in accordance with the provisions for termination in the Management Agreement;
- b) Must confirm any termination In Writing with the Client clearly stating the date at which management ceases and when all relevant documentation and Client Money will be handed over to the Client and confirm who will deal with ongoing litigation, disputes, arrears collection and any fees to be charged;
- c) Should supply all relevant information to facilitate the handover not less than four weeks prior to the date of handover, or as otherwise directed In Writing. This Should include Leaseholder contact details, contractor details and insurance information as a minimum;
- d) Must pass all documents relating to the management to the Client on the date of handover or as otherwise directed In Writing;
- e) Must prepare reconciled accounts (no later than 3 months unless otherwise agreed) with itemised accruals and prepayments up to the final date of management, including schedules of arrears, creditors and debtors;
- f) Must hand over the balance of funds that are not required to meet commitments already made at the date of handover. The remaining balance Must be handed over at an agreed later date (no later than 3 months unless otherwise agreed) along with the statement of accounts made up to the date of handover.

Guidance

Technical guidance

ARMA continues to produce an unrivalled wealth of advice, information, updates and guidance on the day-to-day management of residential long leasehold property management. This information is provided through Guidance Notes (GNs) that are available on the Members' area of the ARMA website, for those with access.

Procedures template

In order to help you apply for accreditation, we have created sample template procedures for you to tailor to your company or Housing Association operation. These are available to new applicants on receipt of 50% of the application fee (see page 11) in advance. Please contact us to arrange this. Associates have access to the templates via the Members' area of the website.

The sample template procedures are for guidance only and not necessarily for automatic replication. They should be tailored in each instance to reflect the way your company operates. ARMA accepts that from time to time you may need to deviate from your own procedures. If you decide to do this, we advise you to document the reasons and ensure that you are not breaching legislation or ARMA-Q Standards.

Model Management Agreement

ARMA's Model Management Agreement is available online to Associates only in the Members' area of the website. Like the procedures, it should be tailored for each instruction. The aim of the Model Management Agreement is to provide a straightforward, standard and generic form for the contractual/legal issues that arise between the parties. It deliberately avoids being specific about fee structures, services included in the basic fees, additional charges and the requirements on takeover or handover because we recognise that members will want to decide for themselves.

Audit

As an ARMA Member, you will undergo an audit check once every three years. The overall aim of the ARMA-Q audit is to provide an assurance to ARMA, its Members, clients and leaseholders that accredited Members of ARMA are complying with the Standards. The process will also help raise standards across the managing agent sector and protect the public. By being open to scrutiny in this way you are distinguishing yourself from competitors through a commitment to deliver high quality work for consumers.

Full details of the audit process can be found in the publication *ARMA-Q: Guide to Audit*, which is also available on the ARMA website.

FAQs

1. What do we need to consider before applying to become a Member?

Thorough preparation before making your application will make the process easier for you and for us. The starting point is the *ARMA-Q Consumer Charter & Standards* (1st edition) document that is available to download from the website. Hard copies can be obtained by request from armaq@arma.org.uk

You need to make sure that you fully understand the Standards and what you need to do to comply. If you have any queries about the Standards or what is required for compliance, please get in touch at armaq@arma.org.uk

You will want to look at the Standards against your company's current policies and procedures and consider whether you need to make any changes to comply. We are not looking for rigid uniformity. But you must comply with any legal standards and be able to show that you have met the spirit of the Standard if you depart from established practice.

Think about who else you need to involve in this assessment. Clearly senior managers will need to set the strategic direction, but it would also make sense to involve your block managers and perhaps other operational staff who may be well placed to tell you where there are practical issues that would affect compliance. More importantly, they will be the ones who will be crucial in meeting the Standards through their day-to-day work. All your staff should be familiar with the new Standards.

You should pay particular attention to the Standards that relate to financial management, accounting and the handling of client money (Part 4). These lie at the very heart of the regime and will be a priority in the audit process. It is very unlikely that you will be able to achieve accreditation without full and demonstrative compliance with these Standards.

2. Who should complete the membership application?

ARMA expects to deal with a single contact on membership matters. This is a senior person in your company, a director or those responsible for the company who are in a position to give such undertakings.

3. Where can we get advice and help with completing our application?

This document is intended to provide advice on the practicalities of applying for ARMA-Q accreditation and membership, and we hope that we have given you the information you require. If you have any queries please e-mail armaq@arma.org.uk or call the Secretariat on 020 7978 2607.

If your company has significant issues around accreditation with the ARMA-Q Standards and you are not sure how best to resolve them, or if you would just like some assurance that your application is being put together in the right way, you may like to purchase some technical consultancy advice from ARMA.

4. How will application for accreditation be assessed?

The Secretariat will be responsible for initial assessment. On receipt of an application there will be an administrative check to ensure that all the appropriate documentation has been provided and is complete. If omissions or errors emerge, the application will be sent back for correction. Otherwise the application will be assessed by one of our technical officers, who will make a recommendation about whether the application should be rejected or accepted. If the application is accepted, the technical officer will state on what terms.

The Regulatory Panel will have access to all cases and will review a random sample to help discharge its duty to oversee the process. Difficult or borderline individual cases may be referred to the Regulatory Panel for advice. All the recommendations will be put to the Council for formal approval. The Council has an absolute discretion to refuse any application even if published criteria have been met and an application fee has been paid. Its decision on whether or not to award Membership will be final.

5. What happens if we don't achieve Membership first time?

If we reject your application, we will give you reasons. You can make another application at any time but you will need to be able to show that you have addressed the issues from your first application. We will offer you help to achieve this (see FAQ 3).

6. Can I just submit any documentary evidence to support my application?

Your application must include examples of the following documents used by your company:

- **management agreements**
- **introductory information to new leaseholders**
- **a basic summary of terms and conditions**
- **notices to or from your bank or building society**
- **Service charge year-end accounts, including a balance sheet.**

Depending on the size of your company, you need to provide documents for one or more blocks in your portfolio. Take a look at page 12 of this guide for more details.

Each document you supply needs to be for the same block. So for example, if you provide management agreements for Smith Court, Jones House and Blogs Mansions, all other supporting documents need to be for the same three blocks. If that's not possible you should substitute an alternative and explain why you've done this in your declaration of compliance.

7. Do we have to use the procedures templates provided by ARMA?

We put together the procedures templates to make the accreditation process as easy as possible, so you can tailor them to your company's own methods — but you're welcome to use your own.

8. Will supplying copies of our management agreements breach client confidentiality?

We'll treat your application and all the supporting documents you provide as completely confidential. We're aware of the need to protect commercially sensitive data, and will process your information in line with the Data Protection Act 1998.

9. What's the difference between a management agreement and a basic summary of terms and duties?

A management agreement is the contract between you and your client. Individual leaseholders are not normally party to that contract, unless they are an RMC/RTM director. So they won't usually have a copy, unless your client has given them permission to see it. But leaseholders can request basic information about the terms under which you operate. To anticipate that request you should prepare a basic summary of your terms and duties, particularly covering the basis of fee charging.

10. Some of our blocks don't have management agreements in place because we're still waiting for them to be signed. Is that ok?

There may be legitimate reasons for falling short of 100% compliance with some ARMA-Q Standards. This situation could be one of them.

The ARMA-Q Standard states: "When agreeing a contract and charges for management services the Managing Agent Should enter into a Management Agreement signed by all parties to that agreement."

A justifiable reason for not having a valid management agreement in place might be where an agent has sent out the contract, informing their client they will manage according to the terms if it is not signed and returned within 14 days.

11. We have a client who wants to use their own management agreement. Is that acceptable?

ARMA has a Model Management Agreement in Guidance Note F11 that complies with ARMA-Q and is available to Associates in the Members' area of the website. As an Associate you may use that if you wish but it's not mandatory, and you may prefer to use your own or your client's agreement. This is perfectly acceptable, so long as it does not conflict with ARMA-Q.

12. Is a management agreement with multiple instructions acceptable?

Yes, providing the terms, duties and conditions for each instruction are the same and/or any differences between instructions are noted in the agreement.

13. Is a management agreement for a defined term of 12 months acceptable if three months' notice can only be given at the end of the term?

Probably not because this would constitute a 15-month agreement. This would therefore be subject to S.20 consultation as a qualifying long-term agreement. If this were the case, we would require confirmation that S.20 consultation had been carried out in order for the agreement to be compliant.

14. We are the landlord of the building and also the managing agent. Do we need a management agreement in place to appoint ourselves?

The Standard states that when agreeing a contract and charges for management services the managing agent should enter into a management agreement signed by all parties to that agreement. The Standard states that the landlord 'Should', which means that you would have to demonstrate that you have a justifiable reason for not entering into a management agreement. A justifiable reason may be, for example, that a management agreement is not required because the landlord and the management agent are the same legal entity. However, if they are separate legal entities, or one is the trading name of the other, a management agreement must be in place to comply with the Standard.

15. Our basic summary of terms and duties is included in the management agreement. We have a clause in the agreement allowing us to provide copies to leaseholders. Is it acceptable to provide the management agreement instead of the summary of terms and conditions?

Yes. Simply upload each copy during your application and make a note on the declaration.

16. We include our terms and conditions with our introductory letter. Should they be separated?

If one document encompasses several pieces of evidence needed to support your application, such as in this example, simply upload the same document in each instance and make a note on the declaration.

17. Our terms and duties and introductory letter are included in the information pack that's sent to the person buying the flat. Should we be sending these documents out once confirmation of the sale has been received?

Not necessarily. If you have written confirmation from the vendor's solicitor that the purchaser has been provided with this information, and there have been no amendments to the contents of the document, this would be acceptable providing there hasn't been an unreasonable delay. As a matter of good practice, we would advise sending this information directly to the leaseholder once you have received notification that the purchase of the flat has been completed.

18. How will ARMA expect the annual declaration to be made?

We have deliberately not specified how the annual declaration should be made as this is an individual decision to be taken by each business. You may decide to submit a statement within the budget or year-end accounts, or write a separate letter. All these are acceptable options. If in doubt, get in touch and we can talk it over.

19. Does the annual declaration need to include administration charges?

No. Administration charges don't go through the service charges so they're not included.

20. Do we have to state a total income figure in the annual declaration?

No. You need to declare all sources of income, not the actual amount in pounds and pence. However, under Standard 4.5 (Insurance), in addition to the annual declaration you must also disclose and agree in writing with your client any payment you receive for handling insurance activities. If requested by a leaseholder, you must also disclose in writing the proportionate charge.

21. Standard 4.1.a states that managing agents must give or receive notice in writing from the bank or building society when opening a client bank account. We operate a global client account. Will one notice be enough to show we comply?

There are three types of acceptable banking arrangements under ARMA-Q: individual accounts for each property; global client accounts denoted by ledgers; and virtual accounts, where properties can be separated out. If you operate on the first method, one notice is required per account. But, if you operate on either of the latter two, one notice for the global account will be enough providing it lists all the clients / instructions that pay in to that account.

22. Standard 4.1.a.iii requires confirmation from the bank or building society that they accept the notice, but ours hasn't responded. Are we breaching the Standard?

No. The Standard requires you to ask your bank or building society to acknowledge in writing that they accept the notice. The obligation is on you to request this, not to ensure you receive it, although that of course would be preferable.

23. Historically we haven't provided a notice to the bank but we are now doing so for all new accounts. How can we achieve compliance with Standard 4.1.a for our existing accounts?

One possible way of dealing with this is to send a compliant notice to your bank or building society listing all accounts held. After that you would then send a notice for each new account. There may be other options that we would consider. Please get in touch if you want to discuss alternative arrangements.

24. **We operate a global client account denoted by ledgers, so we only have one notice to the bank to comply with Standard 4.1.a. When we take on a new instruction, will you be asking for proof that it is encompassed within the global account?**

In these circumstances, we would expect you to send confirmation to your bank or building society on an annual basis to ensure all new instructions are encompassed within the notice.

25. **Our banking software allows us to open accounts online and therefore no notice is given or received. How can we ensure we comply with Standard 4.1.a?**

Even though you're opening virtual accounts in a global client account, the global account requires a notice to or from the bank or building society, not each virtual account. Again, we would expect you to send such confirmation to your bank or building society on an annual basis to ensure all new instructions are included with the notice.

26. **We are RICS members and they have confirmed our accounts are compliant with Standard 4.1.a. Is that acceptable instead of providing notices?**

No. RICS only require a bank mandate, which doesn't confirm compliance with the Standard in its entirety.

27. **Is it acceptable for service charge accounts and company (statutory) accounts to be combined?**

Standard 4.2.4 states that where the lease sets out how service charges should be accounted for, then those requirements must be followed. Managing agents should otherwise follow the guidance contained in the publication *Residential Service Charge Accounts Technical Release 03/11*.

The Technical Release states: "If the service charge statement is prepared on behalf of a Residents' Management Company (RMC)/Right To Manage Company (RTM) then it should be a separate statement to the annual accounts for the company required to be filed at Companies House", and that "trust money should not be included as an asset in the statutory accounts of the RMC/RTM." However, the Technical Release goes on to say that if service charges are included in the RMC/RTM profit and loss, or income and expenditure, the account should reflect the economic substance of the transactions.

Where a Member can show they have acted in accordance with the lease, it's acceptable to submit a set of accounts for an RMC/RTM showing the service charges/reserve funds in the statutory accounts, providing that: the service charge/reserve fund transactions are shown in a separate statement; it's clearly described in the accounts (e.g. with a qualifying statement) that the income is actually service charge money; and the accounts show a clear picture.

Appendix 1

ARMA CATEGORIES OF INVOLVEMENT FROM 1 JANUARY 2015

ARMA Bye-Law 1.7 Council shall publish a schedule of the categories of involvement which shall provide basic criteria on the various involvements and related fees and subscriptions.

Membership

Defined in Bye-Law 0.1.14, 'Member' means a member of the Association. They shall procure compliance with the Bye-Laws by an employee, partner, representative or agent, subsidiary or associated company of the member. Members may attend meetings and vote in respect of the company affairs of the Association of Residential Managing Agents Ltd (of which ARMA is the trading name).

Companies that have traded successfully as managing agents for at least two years, and Housing Associations that have managed residential long leasehold property for at least two years, either their own property or that of another landlord, are eligible to apply to become an ARMA Member.

Members that have achieved ARMA-Q accreditation are:

- permitted to use the ARMA logo
- permitted to promote themselves as ARMA 'Members'
- able to access to the full range of ARMA member level benefits
- regulated by the independent Regulatory Panel
- permitted to attend meetings and vote in respect of the company affairs of the Association of Residential Managing Agents Ltd (of which ARMA is the trading name)
- required to comply with: ARMA Bye-Laws; RICS Code; relevant legislation; and ARMA-Q Charter & Standards.

Member level benefits include:

- technical support
- access to over 100 Guidance Notes
- discounted training
- networking/briefing events
- access to a free business advice line
- weekly circular
- quarterly magazine AQD.

Associate

Defined in Bye-Law 0.1.02, 'Associate' means a non-member recognised by the Council as associated with the Association in accordance with the Bye-Laws.

Bye-Law 1.6 states: "Council may from time to time create one of more classes of Associates to be available to organisations involved with the practice of block management who do not meet the criteria to be a Member. Council may set and vary the criteria to be an Associate and the entitlement of Associates from time to time. Associates may not attend meetings and vote in respect of the company affairs of the Association of Residential Managing Agents Ltd (of which ARMA is the trading name)."

This is a transitory category where maximum periods are set and the Associate will either progress to Member, or if still not qualified to do so after the specified period, will no longer receive member level benefits and may be asked to leave. Associates can be:

1. **New applicants or former Affiliates that are managing agents and working towards Membership but don't yet meet the two year trading rule. To become a Member, managing agents must be able to demonstrate that they have been trading successfully in block management for at least two years. The maximum period they can be Associates is for is two years. If they fail to become a Member by the end of that period they will no longer receive Member level benefits, and may be asked to leave.**
2. **Current Members that do not yet meet the ARMA-Q Standards, either by their own admission or because their application for accreditation was declined, but are working towards compliance for a specified 'grace period' that can end no later than 31 December 2015. If they fail to achieve ARMA-Q accreditation by the end of that period they will no longer receive Member level benefits, and may be asked to leave.**
3. **Housing Associations that operate as managing agents and have had their application for accreditation declined, and which are offered Associate status with a limited 'grace period' of up to 18 months within which to become accredited. If they fail to by the end of that period they will no longer receive Member level benefits, and may be asked to leave.**

Associates receive all the member level benefits (see above), but they are:

- not permitted to use the ARMA logo
- not permitted to promote themselves as 'Members'
- regulated by the independent Regulatory Panel
- not permitted to attend meetings and vote in respect of the company affairs of the Association of Residential Managing Agents Ltd (of which ARMA is the trading name)
- required to comply with ARMA Bye-Laws, RICS Code, and relevant legislation
- NOT required to comply with the Consumer Charter and ARMA-Q standards.

Affiliate

Defined in Bye-Law 0.1.01, 'Affiliate' means a non-member recognised by the Council as associated to the Association in accordance with the Bye-Laws;

Bye-Law 1.5 states that: "Affiliate status is open to any organisation or individual not directly involved in the practice of block management that would like to maintain an on-going relationship with practitioners and be party to some of the benefits available to the membership as a whole." Affiliates can be:

1. **Commercial: service providers that are not managing agents such as landlords, accountancy firms, solicitors, developers.**
2. **Non-commercial: companies or organisations that are involved in the management of leasehold blocks of flats but not eligible for Membership such as Residents Management Companies, Right To Manage Companies and Residents Associations.**
3. **Housing Associations acting in their capacity of Registered Providers that do not manage residential long leasehold property.**

The granting of Affiliate status and entitlement is entirely at the discretion of the Council, which may withdraw or amend it at any time without appeal. Affiliates have no votes, may not hold themselves out as Members, and may not use the logo.

Affiliates receive the full range of Member level benefits (see above), but they are:

- not permitted to use the ARMA logo
- not permitted to promote themselves as 'Members'
- not regulated by the independent Regulatory Panel
- not permitted to attend meetings and vote in respect of the company affairs of the Association of Residential Managing Agents Ltd (of which ARMA is the trading name)
- required to comply where applicable, with ARMA Bye-Laws, RICS Code and relevant legislation
- NOT required to comply with the Consumer Charter and ARMA-Q standards.

Notes



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