

Registered Tenant Organisations (RTOs)

What is an RTO?

Many tenants make their views known to their landlord through a tenants' group. Tenants' groups have a right to register with their landlord. The advantage of being registered as an RTO is that your landlord must consult the tenants' group on issues that will affect your members. If the tenants' group is not registered as an RTO, your landlord does not, by law, have to consult the tenants' group. However, some landlords may choose to do this. Members will still have the right as individuals to be consulted.

Your landlord must keep a register of RTOs and this must be open to the public for inspection at any time. This register should give contact details for any RTOs in and around the area where you live.

How does a tenants' group become an RTO?

The Scottish Government has set down in legislation what a tenants' group must do to be registered as an RTO. For example, a tenants' group must have a written constitution which everyone can see, a committee and accounting records, and show how it will represent members' interests. The legislation also sets out how a group can be removed from the register.

To find out more about how to form a registered tenant organisation, you should contact your landlord. What happens if my landlord will not register our tenants' group?

If your landlord will not register your group, you should ask them why. If you agree with the landlord's view, you can ask your landlord to work with your group to help them become registered.

If you do not agree with your landlord, you can appeal. First of all, you must go through your landlord's appeal system. If you are still not satisfied by the outcome of the appeal, you have the right to appeal formally to Scottish Ministers by writing to:

Regulation and Inspection
Communities Scotland
Thistle House
91 Haymarket Terrace
Edinburgh
EH12 5HE

You can also appeal to your landlord and Communities Scotland if, once registered, your landlord tries to remove your RTO from the register against the wishes of the RTO or if your RTO wants to be removed from the register, but your landlord will not let them.

RIGHT TO MANAGE

What is the right to manage?

You and your neighbours can get together to form a tenant management co-operative and enter into an agreement with your landlord to manage your own homes. If you are interested in doing this, you should contact your landlord.



Your Rights to Information and Consultation

A Leaflet for Tenants



As a tenant of Castlehill Housing Association please read this leaflet to find out about your rights to information and consultation.

The Housing (Scotland) Act 2001 creates a legal framework for tenants with a Scottish secure tenancy or short Scottish secure tenancy to take part in the way their housing is managed. This means that your landlord must:

- give you certain information;
- develop a tenant participation strategy and put it into practice;
- set up arrangements for tenant groups to register with them as registered tenant organisations and keep a register of these organisations which anyone can inspect; and
- consult you, and any registered tenant organisations (RTOs), on tenancy issues which affect you.

Read on to find out more about these rights and what they mean for you.

INFORMATION

What information can I get from my landlord?

Your landlord must give you a written tenancy agreement and information about their complaints procedure. Also, before your tenancy begins, your landlord must tell you about the right to buy and what it means for you.

If you ask, your landlord must also give you information about:

- setting rent and service charges;
- applying to the housing list and how houses are let;
- exchanging homes between tenants;
- transferring tenancies;
- repairs and maintenance;
- their tenant participation strategy; and
- arrangements for taking decisions about managing your home and the services they provide.

CONSULTATION

What rights do I have to be consulted?

You (and any RTOs) have a right to be asked about what you think before your landlord makes any new housing management policies or changes existing policies that are likely to affect you a lot. For example, your landlord may ask you if you think that they should change their policy on repairs and maintenance and if so, how. Your landlord will take into account what you and any RTOs think before making a final decision.

What should my landlord consult me on?

Your landlord must consult you (and any RTOs) when making or changing:

- policies on how they manage their houses and repairs and maintenance if the proposal is likely to affect you a lot;
- decisions about the information to give you on their standard of housing management and performance;
- performance standards or targets on housing repairs and maintenance; and
- their tenant participation strategy.

Will my landlord consult me on any rent increases?

Yes. If your landlord wants to increase your rent, they must consult you and take account of your views before making their decision.

If your landlord changes your rent or service charges, they must write and tell you about it at least four weeks before the increased rent or service charge applies.

If you were a secure tenant of a housing association before 30 September 2002, you will keep the right to have your rent set by your local rent office until you move house.

How will I be consulted?

Your landlord could consult you in a number of different ways, for example public meetings, door-to-door surveys, individual letters and so on. Your landlord's tenant participation strategy should describe how your landlord will consult you (and any RTOs) and how your views will be taken into account.

The tenant participation strategy must also:

- describe how your landlord will keep you (and any RTOs) up to date on what is happening about any proposals that are being developed; and
- include an assessment of the resources needed to carry out the strategy and a statement of the resources that the landlord will give to put the strategy into practice and make it work. (Resources might be money but could also include access to offices, a photocopier, meeting space and so on).

Your landlord has a written tenant participation strategy and will review the strategy regularly and you can have your say. Remember, if you ask, you can get a copy of the tenant participation strategy from your landlord.

What happens if my landlord does not consult me?

If your landlord does not consult you, you should complain through their complaints procedure. If you are still unhappy after going through your landlord's complaints procedure and you feel that you have suffered an injustice you may be able to complain to the

Scottish Public Services Ombudsman
23 Walker Street, Edinburgh, EH3 7DX.

How well your landlord manages their houses will be checked by a government organisation called Communities Scotland.