

An tÚdarás Rialála Comhlachtai  
Tithíochta Ceadaithe

Approved Housing Bodies  
Regulatory Authority



# Tenancy Management Standard Guidance for AHBs



[ahbregulator.ie](http://ahbregulator.ie)



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# 1. Introduction

This guidance document provides further information on the outcomes within the Tenancy Management Standard. The guidance aims to help Approved Housing Bodies (AHBs) better understand the requirements as set out in the Regulatory Standards and provide useful advice on how organisations can demonstrate compliance.

The contents of this guidance document are for additional information purposes only. This document should be read in conjunction with the **'Standards for AHBs'** which is the principal document relating to the regulatory standards.

The Housing (Regulation of Approved Housing Bodies) Act 2019 provides for the regulation of AHBs. This guidance aims to provide greater clarity to AHBs on how compliance could be achieved.

The Approved Housing Bodies Regulatory Authority (AHBRA) expects all AHBs to achieve compliance with the Standards, in line with their legislative requirements. To help AHBs, the outcome-based approach to Standards affords AHBs the flexibility to decide how their actions can best demonstrate that they have met those outcomes.

This guidance is suitable for all AHBs, but also provides clarity on how proportionality will be considered. It also sets out expectations for different types or categories of AHBs, where relevant. It is the responsibility of each individual AHB to determine how they can demonstrate compliance with the Standards in a manner that is appropriate for the size, scale and nature of their organisation.

**The Act requires all AHBs to comply with the Standards.**

## 2. Guidance Approach

AHBRA’s approach to guidance will include providing clarity and definitions on terms within the Standards, along with examples of how you might meet the Standards, where relevant.

This guidance is not intended to place additional requirements on AHBs, instead the content is intended to assist AHBs in understanding the outcomes within the Standards. It is up to each individual AHB to decide how best to meet the Standards considering their size, scale and business or operating model.

AHBRA’s guidance has been developed considering feedback provided by key stakeholders during the consultation on draft standards. To support AHBs in demonstrating compliance, AHBRA intends to support the publication of guidance with webinars, and other educational resources, which will be available through AHBRA’s website [www.ahbregulator.ie](http://www.ahbregulator.ie)

AHBRA may seek to update the guidance periodically, as appropriate, and these contents may be subject to change. In addition to the guidance documents accompanying the four Standards, AHBRA may publish supplementary guidance documents relating to specific areas where further guidance may be useful.



## 3. Tenancy Management Standard

Tenancy Management is a focus on the people who live in the homes provided and/or managed by an AHB. The standard aims to ensure that AHBs can evidence that effective tenant services and tenancy management policies and procedures are in place. As part of this AHBs should be able to demonstrate they have fully defined the roles and responsibilities of both tenant and the AHB, as landlord, over the lifetime of a tenancy agreement.

Regular communication with tenants on all aspects of their tenancy is a key objective for the Tenancy Management Standard. There is a need for clear and accessible information which covers tenant responsibilities, service provision by the AHB, rent collection, reporting of landlord performance including making complaints and tenant engagement opportunities.

The Residential Tenancies Board (RTB) is the public body responsible for regulation of the rental housing sector, which includes maintaining a register of tenancies, resolving disputes between landlords and tenants and initiating investigations into improper conduct of a landlord, where appropriate. Therefore, the objective of the Tenancy Management Standard is to ensure that AHBs take the appropriate measures to meet their obligations to their tenants, including having effective policies and procedures in place to manage the relationship with their tenants.



The Tenancy Management Standard is comprised of 7 outcomes which AHBs are required to demonstrate:

1. AHBs comply with all relevant legal, regulatory, funding and statutory obligations
2. Homes are allocated in a fair, transparent and efficient manner, and aligned to funding obligations
3. Effective communication with tenants on all aspects of their tenancy
4. Fair and transparent rent policies in place, where rents are charged and collected in an accurate and efficient manner
5. An AHB's complaints process is clear and easily accessible
6. Tenant engagement regarding the future delivery of tenant services is encouraged and facilitated
7. AHBs understand tenant satisfaction through monitoring and reporting on the performance of service delivery



## 4. Guidance for all AHBs

The outcome-based approach to the Standards for AHBs recognises the diversity in size, scale and range of business models that exist within the AHB sector. It allows AHBs to focus on demonstrating and evidencing the achievement of outcomes, in line with their operating model, rather than setting out the specific approach to be taken. As such the guidance provided in this chapter is relevant to all AHBs in understanding how to best demonstrate compliance with the Standard.

### **Compliance with Landlord Obligations**

All organisations who provide and/or manage housing are subject to a range of legal, regulatory and statutory obligations relating to their management of tenancies. These may arise from legislation, funding contracts, or compliance with other regulatory bodies. These obligations are in place to help ensure tenants are treated fairly and provide AHBs with a framework for a positive tenant-landlord relationship.

AHBs should be able to demonstrate that they are meeting all relevant obligations applicable to their organisation. These may vary significantly from one AHB to another, so the onus is on each AHB to identify the obligations that are relevant to their organisation. Examples will likely include the requirement to register tenancies under the Residential Tenancies Act 2004, or funding obligations to set rents in accordance with contracts linked to the original funding of the property.

All AHBs should have a system/process in place to identify, monitor and report on the organisation's status with their compliance obligations. This information should be regularly reported to the Board. This should include reporting any instances of non-compliance, where identified.

Where an obligation is not being complied with, the organisation is expected to engage with the relevant authority and prepare a plan for how they will achieve compliance. AHBs should identify the relevant parties its organisation is required to notify where any significant

breaches occur or where sanctions have been made. Where breaches of compliance with obligations occur, AHBs should notify AHBRA in line with our **Notifiable Events Guidance**.

All AHBs should be able to demonstrate that they have identified all relevant obligations and that these obligations are being monitored and complied with.

## **Nominations and Allocations**

Having an efficient process for identifying vacant homes and seeking nominations for these will help maximise occupancy and minimise the loss of rental income for the AHB. The funding arrangements for the provision of social and affordable homes will determine the obligations for AHBs in how those homes should be allocated. Therefore, building effective working relationships with Local Authorities and other funders, where relevant, is key to ensuring an effective and efficient nominations and allocations process.

A vacancy is a void<sup>1</sup> dwelling which is available for letting in its current condition. All AHBs should have an effective procedure for the identification of vacant properties which ensures that the organisation has:

- a clear understanding of the level of vacancy in their housing stock, at any particular time
- the ability to identify properties which will likely become available in the future, for example, a tenancy coming to an end or a new property coming online
- a process in place for identifying any abandoned properties within their housing stock
- clear timelines for when newly acquired properties will become available for letting

All AHBs should have an allocations policy and procedure that sets out their approach to allocations and nominations. In most cases, AHBs will seek nominations from other bodies such as the relevant Local Authority or the HSE in order to nominate potential tenants to vacant properties, as set out under their funding obligations. Where AHBs have some discretion over the nominations and allocations, there should be an open and transparent process in place that delivers on an AHB's core objective of alleviating housing need.

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<sup>1</sup> A void is best defined as any property that doesn't have a tenant living in it for a period of time.



The AHB's allocations procedure will clearly set out the stages that the organisation will follow in seeking nominations to a property and ensure consistent application of this procedure. This procedure should be aligned with the organisations funding obligations for each of their funding streams, where appropriate.

All AHBs should be able to demonstrate that they have effective policies and procedures in place for the management of allocations and nominations.

## **Tenant Communication**

It is essential that AHBs provide tenants with good quality, accurate and up-to-date information on all aspects of their tenancy, and the support services available to the tenant. Whilst a tenancy agreement should clearly set out the rights, responsibilities and obligations of both the tenant and the landlord, AHBs must utilise a range of appropriate communication channels to support tenants in sustaining their tenancy over the longer term.

All tenants should be provided with accurate, relevant and useful information relating to their tenancy. Prior to the commencement of a tenancy, AHBs should provide pre-tenancy training or support to clearly inform tenants of their rights and responsibilities. A tenant handbook is a useful tool for setting out a comprehensive set of information relevant to tenants.

In addition to informing tenants of the range of services available, AHBs should ensure that the services provided are easily accessible by tenants. Communication with tenants should take account of any tenant feedback received on the communication methods used and seek to actively adapt these to the needs of the AHB's tenant group(s).

Building a relationship with tenants is critical to achieving effective communication. Ensuring regular communication between the AHB (as landlord) and the tenant, on services and AHB performance can help improve overall tenant satisfaction.

In order to ensure effective communication with their tenants, organisations should have a documented approach to communication. This should set out its overall approach to communication, how the AHB will communicate with its tenants, including the range of methods to be used.

Communication should be two-way, so it is important that all AHBs have a clear and easily accessible process for receiving information from tenants. This should consider how tenants



can contact the AHB and have a clear process for ensuring that all queries are handled in an efficient and effective manner.

All AHBs should be able to demonstrate that they have effective communication methods in place with their tenants and service users.

## **Rent Policies**

Rent and income received for the provision of social housing is a vital income stream for any AHB to fund costs relating to the management of dwellings. It is important that all AHBs ensure that their approach to rent setting, collection and management of arrears is fully aligned to funding obligations, clearly set out in tenancy agreements and communicated to all tenants in a clear and understandable manner.

All AHBs should have a clear understanding of the level of income received from rents and should regularly monitor actual rent received against expected in order to ensure sufficient income to fund operations and prevent the accrual of significant arrears by tenants. AHB Boards should seek assurance that information received relating to rent collection is accurate, timely and reliable.

All AHBs should seek to maximise their rental income received and reduce the level of rental arrears. AHBs can play a proactive role in minimising rental arrears by providing training or supports to tenants on budgeting and managing their finances. Where rental arrears do arise, AHBs should have a procedure in place that ensures they engage with the tenant at the earliest opportunity. Support services may be offered to the tenant in preparing a plan for budgeting and repaying the arrears owed, or the tenant may be referred to external service providers.

AHBs should have a system/process in place to monitor and report on the organisation's rental income and arrears. This information should be regularly reported and reviewed to the Board.

## Complaint Handling

The Office of the Ombudsman defines a complaint as:

“...an expression of dissatisfaction by one or more members of the public about an organisation’s action or lack of action, or about the standard of service provided by or on behalf of the organisation”<sup>2</sup>

All AHBs are required to have a complaints process in place which clearly outlines the approach to complaint handling including how tenants can make a complaint, how the complaint will be dealt with and what escalation processes may exist. It is important that all AHBs assure tenants that they can easily raise an issue with their landlord and that this will be managed in a professional and fair manner.

The Residential Tenancies Board (RTB) is the organisation with responsibility over the relationship between a landlord and tenant. They manage a disputes resolution process for landlords and tenants to resolve disputes where they occur. The first stage of this process is self-resolution which involves informal discussion between a landlord and a tenant to address any issue. Every effort should be made by an AHB to resolve issues directly in the first instance.

A clear and easily accessible complaints procedure will provide easy to follow steps to assist tenants in registering their complaint. This would include how a complaint can be made, to whom and when they can expect a response to be received.

Examples could include an on-line complaints form, or where tenants can raise a complaint face-to-face or by phone or email. It is important that AHBs consider their tenant group(s) and provide clear information to tenants on the process and procedures in place.

AHBs should have a system in place to monitor and report on the number and type of complaints received including outcomes. Information on complaints handling should be regularly reported to the Board. This can provide the Board with useful information on the

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<sup>2</sup> Model Complaints System and Policy, The Ombudsman’s Guide to Developing a Complaint Handling System.



number of complaints received; progress of complaints; time taken to respond; outcomes including where complaints were not resolved and any recurring themes.

## **Tenant Engagement**

Tenant engagement should be a key focus for all AHBs. When we refer to tenant engagement, we mean empowering tenants to be involved in the activities of the AHB. This involves providing a range of opportunities for tenants to have a ‘voice’ in how their housing services are designed, managed and delivered. Understanding the needs of tenants and ensuring that their needs influence decision-making within the AHB, is critical to delivering good quality services.

All AHBs should encourage and facilitate tenants to be more involved with the AHB, by providing tenants with a range of opportunities and supports (where appropriate) that will make it easier for tenants to have their voice heard on issues relating to the management of their homes.

There is no ‘one size fits all’ approach to tenant engagement so it is important that AHBs establish what works well for their tenant group or whether different approaches are required within the organisation as tenants may not always seek the same level of engagement with the AHB.

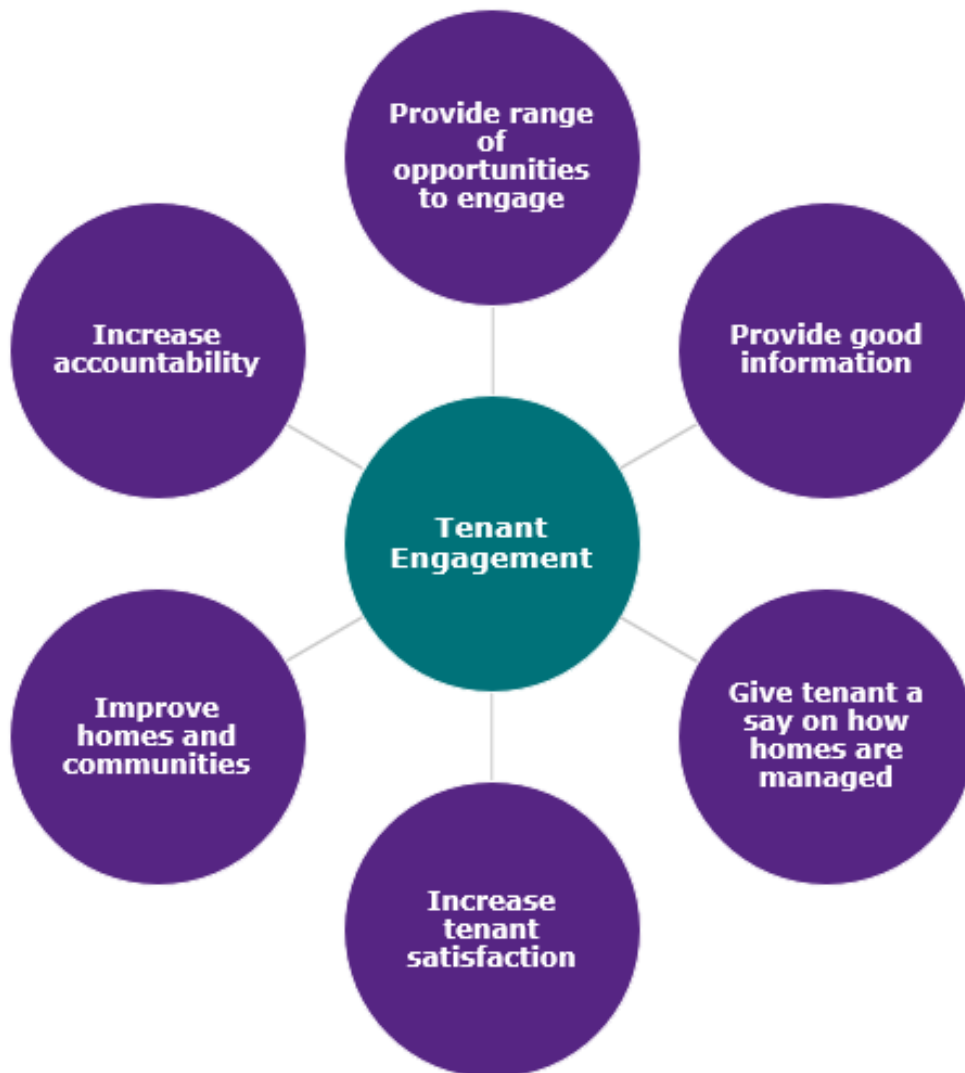
There are a wide range of methods that AHBs can adopt when encouraging and facilitating tenant engagement. Depending on the size and structure of the AHB, examples could include:

- Structured and regular meetings with tenants or tenant representatives,
- establishing working groups or tenant committees,
- including tenant representatives on the Board
- seeking input from tenants through surveys or questionnaires,
- face to face discussions, and/or
- holding formal or informal events.

Where an AHB is proposing changes to the services provided to tenants or a significant change in policy, AHBs should consult on those changes with affected tenants, and tenants’ groups, where appropriate. By consult we mean seek the opinion, comments or advice of tenants who are best placed to provide feedback to the AHB on the changes being considered.

It is important to note that not all tenants will want to have a role in the consultation process, but AHBs are expected to ensure that their tenants are provided the opportunity to contribute. This includes providing tenants with sufficient reliable information as part of the consultation process to allow them to contribute in a meaningful way.

The following diagram highlights some of the key outcomes expected where there is an effective tenant engagement approach in place.



*Fig 1 – Tenant Engagement Overview*



## **Performance Management**

All AHBs should continuously look to improve the efficiency and effectiveness of their tenant services. Measuring and reporting against a range of performance indicators allows AHBs to determine areas where improvements are required and to utilise resources in the best way to meet tenant needs.

Tenant satisfaction is the consideration of whether a tenants' needs, or expectations have been met by their landlord. Social housing tenants will have expectations as to the quality of service provided by their AHB, particularly in certain areas like the completion of repairs, safety obligations, dealing with complaints and how it spends its money. It is important that AHBs understand their tenants' expectations, and report on a range of performance measures in areas that matter to their tenants.

All AHBs should be able to demonstrate that they have a performance management framework (appropriate to their size) in place that will allow the organisation to actively monitor progress against a range of performance indicators.

Performance indicators are a type of performance measurement which allow organisations to evaluate the success of a particular activity against a pre-determined indicator or target.

All AHBs should have a system in place that allows them to capture relevant data on the delivery of services and then evaluate this against established targets. This could include a verification process that provides assurance that data is accurate and reliable.

AHB performance information should be readily accessible to tenants which means that it should be produced in a clear format that is easy for tenants to understand. It should also be easy for tenants to access, whether that is on the AHB's website, through social media or produced in regular reports that are provided to tenants.

Tenant feedback on the performance of the AHB is a vital element in measuring the efficiency and effectiveness of the services provided and also whether outcomes are being achieved.

Tenant surveys are an example of best practice in obtaining performance information from service users but there are a range of other methods available. Other AHBs may rely on more informal types of feedback from their tenants to ensure tenants are satisfied with the level of service being provided, for example customer satisfaction sheets or face-to-face feedback.



## 5. Larger AHBs

Larger AHBs who have a significant number of tenancies to manage within their organisation will require more robust systems in place to ensure that tenant needs are being met. In this chapter we set out some of the additional expectations of AHBs who fall into this category.

### **Vacancy Management**

Where an AHB has a large property portfolio they will be expected to demonstrate that they are assured that the systems in place for identifying vacant properties and managing nominations and allocation are adequate and operating effectively.

Larger AHBs are also likely to have properties across a number of regions that can cover a diverse range of funding mechanisms and obligations. It is therefore important that when seeking nominations, AHBs should ensure that effective working relationships have been established across each relevant Local Authority area.

### **Communication with Tenants**

AHBs should be able to rely on a wide range of communication techniques to ensure that they are able to reach their target audience across all their tenant group(s). Larger AHBs should have a communications strategy in place which outlines their communication objectives and goals which takes account of the needs of their tenants.

This should also consider the accessibility of the AHB's tenants services including how tenants can directly contact the AHB. AHBs are expected to provide a range of options to allow tenants to contact them to raise any issues or access services and to communicate these fully to their tenant base.

## Tenant Engagement

Larger AHBs will be expected to proactively encourage and facilitate tenant engagement in the delivery of tenant-related services. This means providing a range of opportunities for tenants to have their voice heard and to be involved in key decision-making and the design of service delivery.

Larger AHBs should establish a strategy for tenant engagement which sets out clear objectives for the AHB in their overall approach to tenant engagement and participation, and the methods by which the AHB plan to facilitate engagement.







## 6. Care and Support AHBs

AHBs who are predominantly Care and Support organisations will have a different operating model than those AHBs whose main focus is the provision and management of Housing. Whilst for Care and Support organisations, housing is not seen as a primary function, there is an expectation that appropriate tenancy management arrangements are evident.

### **AHB/Tenant Relationships**

AHBs should clearly define the relationship between the organisation and the people who reside in their homes. These individuals may include, but are not limited to, tenants, licensees, residents, service users and clients. The relationship should be clearly communicated to all individuals, or their representatives (where appropriate), and the arrangement should be in compliance with the funding arrangements for the dwelling involved.

All tenancies are required to be registered with the RTB. Exemptions from registration with the RTB can be found on their [website](#).

### **Non-tenant based AHBs**

AHBs are required to comply with the Tenancy Management Standard or to explain the individual reasons why they may be unable to comply under the “comply or explain” principle. Where an AHB has a business or operating model that would not allow them to fully comply, for example, the organisation does not charge rent, they should fully evidence the reasons for their departure from the Standard outcomes.

A deviation from the Standards does not necessarily constitute non-compliance, where it can be fully justified. AHBs will need to be open and transparent with AHBRA as to the reasons for seeking to deviate from the standard outcomes.

### **Communication with Tenants**

AHBs should be able to rely on a range of communication techniques to ensure that they are able to reach their target audience across all their tenant group(s). Care & Support



organisations should be able to demonstrate communications which are appropriate to their users, or their advocate’s needs.

This should also consider the accessibility of the AHB’s services including how tenants or service users can directly engage with the AHB. AHBs are expected to provide a range of options to allow service users, or their advocates to raise any issue, and to communicate these fully.



## **Useful resources:**

### **AHBRA**

**Standards for AHBs**

**Governance Standard Guidance**

**Financial Standard Guidance**

**Tenancy Management Standard Guidance**

**Notifiable Events Guidance**

### **Regulations**

**Housing (Standards for Rented Houses) Regulations 2019**

**Building Control Regulations**

HIQA - **Standards**

### **Guidance from other Statutory Bodies**

RTB – **Guide for Approved Housing Bodies on Minimum Standards for Rented Residential Accommodation.**

RTB - **The Good Landlord Tenant Guide**

HIQA - **Guidance**

Gov.ie - **Fire Safety Guidelines**

SEAI – **BER Sales and Rental Guidelines**



## List of abbreviations

AHB – Approved Housing Body

AHBRA – Approved Housing Bodies Regulatory Authority

BER – Building Energy Rating

H&S – Health and Safety

HIQA – The Health Information and Quality Authority

HSE – Health Service Executive

ICT – Information and Communications Technology

KPI – Key Performance Indicator

MOU – Memorandum of Understanding

RTB – Residential Tenancies Board

SEAI – Sustainable Energy Authority of Ireland

VFM – Value for Money

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