

Kilburn Square MMA - Clause options and schedule completion			
		KSTMO	WGTMO
General Provisions of the Agreement			
Clause 1 Parties to the Agreement	Standard		
Clause 2 The Council and the Property	Standard		
Clause 3 The Tenant Management Organisation	Standard		
Clause 4 Statement of Exercise of Management Functions under the Right to Manage	Standard		
Clause 5 Starting Date	OR	Council	Council
Clause 6 The Tenant Management Organisation's Exercise of Management Functions	Standard		
Clause 7 Insurance	Standard		
Clause 8 Exclusion of section 27(13) of the Housing Act 1985 and General Indemnity	Standard		
Clause 9 Confidentiality	Standard		
Clause 10 Equal Opportunities	Standard		
Clause 11 Training	Standard		
Clause 12 Information to Tenants	Standard		
Clause 13 Conflicts of Interest	Standard		
Clause 14 Right to Represent	Standard		
Clause 15 Council's Right of Access to Dwellings	Standard		
Clause 16 Interpretation of this Agreement and General Provisions	Standard		
Clause 17 Decision to Continue this Agreement	Standard		
Clause 18 Variations to this Agreement	Standard		
Clause 19 Failure to Perform	Standard		
Clause 20 Ending this Agreement	Standard		
Chapter 2 Repairs, Maintenance and Services Provision			
Clause 1 Functions of the Tenant Management Organisation in respect of Responsive and Planned Maintenance Repairs	O	KSTMO	WGTMO
Clause 2 Functions of the Council in respect of Repairs	O	Council	Council
Clause 3 Failure to Repair	Standard		
Clause 4 Major Works: Initiation by the Council	Standard		
Clause 5 Requests for Major Works by the Tenant Management Organisation	Standard		
Clause 6 Major Works	O	Council	Council
Clause 7 Partnering Contracts made by the Council with third parties in respect of Major Works	Standard		
Clause 8 Replacement Repairs	Standard		
Clause 9 Repairs Covered by the Council's Buildings Insurance	O	Council	Council
Clause 10 Provision of Estate Services	O	Both	Both
Clause 11 Technical Advice	Standard		
Clause 12 Right to Improve and Leaseholder Improvements	Standard		
Clause 13 Right to Repair	Standard		
Chapter 3 Rent (including Tenant Service Charges)			
Clause 1 Confidentiality and Procedures	Standard		
Clause 2 Rent Collection from Tenants	O	KSTMO	WGTMO
Clause 3 Rent Arrears Control	O	KSTMO	WGTMO
Clause 4 Collection of Arrears due at the Starting Date	O	KSTMO	WGTMO
Clause 5 Former Tenants' Arrears	O	Council	Council
Clause 6 Housing Benefit Payments	OR	NA	NA
Clause 7 Setting Rent Payable by Tenants	Standard		
Clause 8 Notification of Rent Changes	O	Council	Council
Clause 9 Payment to the Council of Rent due	OR	NA	NA
Clause 10 Voids Allowances	O	Council	Council
Clause 11 Bad Debts/ Write offs	O	Council	Council
Clause 12 Voids and Rents waivers	O	Council	Council
Chapter 4 Leaseholder and Freeholder Service Charges			
Clause 1 Confidentiality and Procedures	Standard		
Clause 2 Information	Standard		
Clause 3 Service Charges: Calculation, sending of Demands and Collection	O	Council	Council
Clause 4 Service Charge and Ground Rent Arrears	O	Council	Council
Clause 5 Consultation Provisions under the Landlord and Tenant Act 1985 relating to Service Charges where both the Council and the Tenant Management Organisation provide services	O	Council	Council
Clause 6 Supplementary provisions in relation to clause 5	Standard		
Clause 7 Other Provisions of the Landlord and Tenant Act 1985 relating to Service Charges	O	Council	Council
Clause 8 Payment of Service Charges and Ground Rent to the Council	O	Council	Council
Clause 9 Financial Incentives and Penalties in relation to Collection of Service Charge Arrears	Standard		
Chapter 5 Financial Management			
Clause 1 Calculation of Allowances	Standard		
Clause 2 Payment of Allowances	O	Both	Council
Clause 3 Payment of Management and Maintenance Costs and Administrative expenses incurred by the Tenant Management Organisation	O	KSTMO	WGTMO
Clause 4 The Tenant Management Organisation's Banking Arrangements	O	KSTMO	WGTMO
Clause 5 Financial Control and Accounting Standards	Standard		
Clause 6 Financial Year	Standard		
Clause 7 Restriction on Investments	Standard		
Clause 8 Reserve Funds	O	KSTMO	WGTMO
Clause 9 Major Works Account	O	Council	Council
Clause 10 Financial Report and Surplus Fund	O	KSTMO	WGTMO
Clause 11 Loans to the Tenant Management Organisation	Standard		
Clause 12 Interest on late Payments	O	KSTMO	WGTMO
Clause 13 Set Off of Payments	O	KSTMO	WGTMO
Clause 14 Registration for VAT	Standard		
Chapter 6 Tenancy Management			
Clause 1 Information to Housing Applicants	Standard		
Clause 2 Consultation between the Tenant Management Organisation and the council	Standard		
Clause 3 Selection of Tenants of vacant Property dwellings	OR	NA	NA
Clause 4 Transfers	OR	NA	NA
Clause 5 Introductory Tenancies	O		
Clause 6 Variations to the Tenancy Agreement	OR	NA	NA
Clause 7 Breach of a tenancy agreement, term of a lease, or covenant in a freehold transfer	O		
Clause 8 Ending and renewing Flexible Tenancies	O		
Clause 9 Anti-social Behaviour and Harassment	O		
Clause 10 Residents' Disputes	O		
Clause 11 Unlawful Occupation	O		
Clause 12 Void Dwellings	O		

Key	
Standard	Standard text
O	Option Available
OR	Option removed due to Council policy

Clause 13 Right to Exchange	O		
Clause 14 Right to Assign restricted category of Persons	O		
Clause 15 Applications to Sublet	O		
Clause 16 Right of Succession	O		
Clause 17 Giving Consents	Standard		
Clause 18 Right to Buy and Sales	O		
Clause 19 Enquiries before Exchange of Contracts	O		
Clause 20 Use of the Property	Standard		
Chapter 7 Staffing and Management of the Relationship between the Tenant Management Organisation and the Council			
Clause 1 The transfer of staff from the Council to the Tenant Management Organisation where there is a transfer of an undertaking by virtue of the transfer of Undertakings (Protection of Employment) Regulations 1981	Standard		
Clause 2 Employment of Staff (other than those transferring under clause 1)	Standard		
Clause 3 Secondment of Council Staff to the Tenant Management Organisation	O		
Clause 4 Employment of Contractors	O		
Clause 5 Access to Council Officers	Standard		
Clause 6 Liaison Officers	Standard		
Clause 7 Tenant Management Organisation Liaison Committee	Standard		
Clause 8 The Council's Nominee	O		
Clause 9 Help to the Tenant Management Organisation	Standard		
Clause 10 Service of Notices	Standard		
Clause 11 Misdirected Notices	Standard		
Clause 12 Notice of Legal Proceedings	Standard		
Clause 13 Information to be provided	Standard		
Clause 14 Changes in Management or Ownership	Standard		
Clause 15 Statutory Consultation	OR		
Clause 16 Non-statutory Consultation	Standard		
Clause 17 Complaints about the Tenant Management Organisation's or Council's Performance as Manager of the Property dwellings	Standard		
Clause 18 Disputes and Arbitration	Standard		
Clause 19 Information to the Secretary of State	Standard		
Chapter 8 Performance, Monitoring and Reviewing of Standards			
Clause 1 The Tenant Management Organisation's Performance Standards	Standard		
Clause 2 The Council's Performance Standards	Standard		
Clause 3 Regular Monitoring and Development Meetings	Standard		
Clause 4 Annual Review	Standard		
Clause 5 Equal Opportunities Monitoring	Standard		
Clause 6 Periodic and Special Reviews	Standard		
Chapter 9			
Definition of Terms and Location of First Use of a Term	Standard		