

# HOMES FOR LIFE HOUSING PARTNERSHIP

## MEMBERSHIP POLICY

Date Issued: March 2011 [Version 4]

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### 1.0 INTRODUCTION

- 1.1 This document describes the Company's policy with regard to membership. It seeks to accord and comply with the provisions in the Memorandum and Articles of Association.
- 1.2 The Company is registered under the Companies Act 2006. It is a Company limited by guarantee and has charitable status. It is included on the Register of Social landlords maintained by the Scottish Housing Regulator, under the Housing [Scotland] Act 2001.
- 1.3 The Company is managed by a Board of Directors which is empowered to grant membership of the Company.

### 2.0 POLICY

- 2.1 There is only one category of membership. However, to ensure that tenants can exercise effective influence over the Company, the Board will have the right to restrict membership of those who are not Company tenants to not more than 40% of total membership at any time.  
Any person or organization may apply to become members.  
Applications for membership will be encouraged from the following:

- *Current tenants of the Company*
- *Other persons or organisations who have an interest in the Company and can demonstrate that they can bring relevant experience or expertise to the benefit of the Company.*

Each organisation having a membership is entitled to be represented by one individual, the Representative, who shall hold voting rights attached to that membership, and shall be entitled to exercise the same powers on behalf of the organisation as if the organisation was an individual member of the Company. The identity of the Representative shall be notified to the Secretary of the Company by the Chief Executive, or equivalent office holder, of the member organisation and shall become effective 14 days following receipt of such notification.

An organisation's Representative cannot also be a member as an individual. If a member becomes a Representative of an organisation, then the individual's membership shall be suspended until such times as the individual is no longer acting as a Representative.

- 2.3 Only members, (or their proxies), will be entitled to nominate for, or to vote in elections for directors, to vote on any resolutions put to any General Meeting of the

Company, or to attend any General meetings from which non members may be excluded.

- 2.4 Each member will guarantee the Company to the sum of £1, payable upon the winding up or dissolution of the Company.
- 2.5 The Board shall act reasonably and fairly in their consideration of applications for membership, or termination of membership, however their decisions shall be final. If requested to do so, the Board shall give applicants the reasons for any refusal to admit them to membership of the Company.
- 2.6 A person shall not be admitted to membership, and any membership will subsequently be terminated by the Board if:
- an individual is or becomes of unsound mind
  - bankrupt or insolvent, or apparently insolvent or who suspend payment to or compound with that person's creditors
  - a receiver or judicial factor is appointed in respect of that person's property and undertaking, or any part thereof
  - an effective winding-up order has been or is made or an effective winding-up resolution is passed in respect of that person
  - an administration order has been or is made in respect of that person
  - a current or former tenant of the Company who is in breach of their lease with the Company, or was in breach at the end of their lease with the Company.
  - that person is or has been convicted of a criminal offence other than a motoring offence
  - that person has not reached the age of 18 if not a tenant, or 16 if a tenant
  - that person fails to notify the Company within three months of a change of address, unless this is a change between two properties owned or managed by the Company
  - that person otherwise fails to meet any of the requirements of this Membership Policy.
- 2.7 The Board may also reject any application for membership where complaints have been received about any applicant's behaviour and the Board are concerned this is likely to harm the interests or reputation of the Company.
- 2.8 The rights and privileges of a member of the Company shall be personal and shall not be transferable or transmissible by any means.
- 2.9 Membership shall automatically cease on the death of a member.
- 2.10 Members may give up their membership at any time by giving 7 clear days notice in writing. An opportunity to give up membership will be included in forms used/issued by the Company for tenants to give Notice of Termination of Tenancy though tenants do not need to.
- 2.11 Membership may also be terminated by members voting to do so at a general meeting, under the provisions of Clause 11 of the Company's Articles of Association. This covers situations where members are concerned over 'behaviour which is likely to harm the interests or reputation of the Company'. Any motion for termination under this clause requires written complaint; prior notice; opportunity to

attend and respond to the complaint; and the support of at least 2/3rds of members at the meeting – all as outlined as the Articles.

### **3.0 PROCESS**

3.1 No new applications for membership will be approved in the 14 days preceding any general meeting.

3.2 An application for membership shall be forwarded to the registered office on the agreed pro-forma, which may be varied from time to time by the Board. (Current copy attached). Every application shall be considered by the Board at its next meeting or as soon thereafter as is practicable.

3.3 If the application is approved, membership shall take effect from that time. Within five working days membership will be confirmed and the name of the applicant shall be entered in the appropriate category of the register of members. The register of members is kept by the Secretary.

### **4.0 REVIEW**

4.1 The Business Manager will ensure that this is reviewed as necessary by the Board but not less than every five years.

<p style="text-align: center;"><b>HOMES FOR LIFE HOUSING PARTNERSHIP LTD</b> <b>Application Form for Membership</b></p>
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*Please complete, sign and return to Homes for Life Housing Partnership at the address below  
Copies of our Membership Policy are available on request.  
If you require further clarification please contact us at the address below.*

<b>1</b>	<b>PERSONAL / ORGANISATION DETAILS</b>
<b>Your Name/Organisation</b> <i>[if corporate body]</i>	
<b>Address</b>	
<b>2</b>	<b>DECLARATION</b> [delete as necessary]
	<ul style="list-style-type: none"> <li>• I comply with the eligibility criteria outlined at Sections 2.6 &amp; 2.7 of the Company's Membership Policy (extract attached)</li> </ul>
<b>3</b>	<b>UNDERTAKING</b>
	<p>I/my organisation hereby apply to be registered as a member of the Company. I/my organisation undertake to contribute to the assets of the Company in the event of it being wound up whilst a member, or within one year after I/my organisation cease to be a member, for payment of the debts and liabilities of the Company contracted before I/my organisation ceased to be a member and of the costs, charges and expenses of winding up and for the adjustment of the rights of the contributories among themselves, such amount as may be required not exceeding £1. I/we undertake to notify the Company forthwith, in the event that any circumstances change in respect of any of the issues covered by the Declaration above.</p>

<b>4</b>	<b>OTHER INFORMATION</b> [Tenants of the Company do not need to complete this section. All other applicants must complete this section]
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Please explain your reasons for applying specifying any relevant experience or expertise you or your organisation have which could be brought to the benefit of the Company	
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<b>5</b>	<b>AUTHORISATION</b>
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I authorise you to enter my name in the Register of Members of the Company
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<b>6</b>	<b>SIGNATURE</b>
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<b>Signature</b>	
<b>Designation</b> <i>[if signing on behalf of corporate body]</i>	
<b>Date</b>	

**NOTICE**

- PLEASE NOTE THAT ACCEPTANCE OF THIS APPLICATION DOES NOT CONSTITUTE MEMBERSHIP
- ALL APPLICATIONS WILL BE CONSIDERED BY THE BOARD, ACTING REASONABLY AND FAIRLY
- APPLICANTS WILL GENERALLY BE CONSIDERED AT THE NEXT BOARD MEETING, BUT NO NEW APPLICANTS CAN BE APPROVED WITHIN 14 DAYS OF ANY GENERAL MEETING
- THE BOARD'S DECISION ON WHETHER OR NOT TO ADMIT ANY APPLICANT TO MEMBERSHIP IS FINAL. THIS WILL BE CONFIRMED, AS SOON AS PRACTICABLE AFTER THE BOARD MEETING
- THE BOARD WILL NOT BE OBLIGED TO GIVE ANY REASON FOR REFUSING APPLICATIONS FOR MEMBERSHIP

**COMPLETED FORMS SHOULD BE RETURNED TO**  
**Homes for Life Housing Partnership**  
**Tolbooth Gate ~ 57 Market Street ~ Haddington ~ East Lothian EH41 3JG**  
**Telephone 01620 829300 ~ Fax 01620 829993 ~**  
**E-mail [info@homesforlife.co.uk](mailto:info@homesforlife.co.uk)**

**ELIGIBILITY CRITERIA FROM SECTIONS 2.6 & 2.7  
OF MEMBERSHIP POLICY**

**A person shall not be admitted to membership, and any membership will subsequently be terminated by the Board if:**

- an individual is or becomes of unsound mind
- bankrupt or insolvent, or apparently insolvent or who suspend payment to or compound with that person's creditors
- a receiver or judicial factor is appointed in respect of that person's property and undertaking, or any part thereof
- an effective winding-up order has been or is made or an effective winding-up resolution is passed in respect of that person
- an administration order has been or is made in respect of that person
- a current or former tenant of the Company who is in breach of their lease with the Company, or was in breach at the end of their lease with the Company.
- that person is or has been convicted of a criminal offence other than a motoring offence
- that person has not reached the age of 18 if not a tenant, or 16 if a tenant
- that person fails to notify the Company within three months of a change of address, unless this is a change between two properties owned or managed by the Company
- that person otherwise fails to meet any of the requirements of this Membership Policy.

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