

Management regulations

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1. Introduction

1.1 Objectives

The purpose of the Management Structure, as laid down in these Management Regulations, is to promote and maintain the quality of social management within Stadswonen Rotterdam. The form of this social management is specifically focused on the type of living arrangements which involve many communal facilities, and provides individual tenants with opportunities to optimise their living conditions. The Management Structure provides tenants with opportunities to organise themselves and be represented in the relationship with Stadswonen Rotterdam and third parties, while also being able to exert influence on this representation. It is an inescapable fact that achieving the objectives of this Management Structure calls for an extensive amount of agreements, rules, instructions and provisions. However, it is of great importance that all parties involved can be informed about these agreements etc., so they can optimise both their individual positions and that of the residents as a whole.

The purpose of the Management Structure is to safeguard the management within the residential buildings and provide structure for the relationship between the tenants and Stadswonen Rotterdam.

The Management Structure gives individual tenants rights and powers with regard to their specific living situations, while also establishing duties and responsibilities within that context. These Management Regulations also determine the way in which residents can organise themselves and be represented. The Management Structure is an essential element of living in Stadswonen Rotterdam accommodations and is therefore an obligatory matter. It is for this reason that these Management Regulations form part of the Tenancy Agreement.

The main features of the social management system are laid down in these Management Regulations. The details, which can differ per period and per building, are further described in the Management Manual and in specific working agreements between the Residents' Committee and Stadswonen Rotterdam. These Management

Regulations only include matters for which it can reasonably be assumed both parties regard as essential management structure considerations.

The Management Manual and the individual working agreements are public documents which are available for inspection via a building's Manager or Nestor and at the offices of Stadswonen Rotterdam.

1.2 Definitions

The following definitions apply within these Management Regulations:

- Stadswonen Rotterdam: is a division of Woonstad Rotterdam.
- Director: the business director in his/her capacity of leading the work organisation.
- Supervisory Board: the Supervisory Board of Woonstad Rotterdam.
- Tenant: a person who is bound by a Tenancy Agreement with Stadswonen Rotterdam, as well as
 - a. a co-tenant in the sense referred to in Articles 266 and 267 of Book 7 of the Dutch Civil Code.
 - b. a person referred to in Article 268, second paragraph of book 7 of the Dutch Civil Code and
 - c. a person who, with Stadswonen Rotterdam's permission, rents accommodation from another person who is renting it from Stadswonen Rotterdam.
- Resident: every person whose main place of residence is a Stadswonen Rotterdam accommodation.
- Participation: the entirety of activities designed to get tenants and residents involved in Stadswonen Rotterdam policy and management, with the objective of aligning individual tenants' and residents' living conditions and enjoyment as closely as possible with their needs.
- Management structure: the entirety of agreements, rules, instructions and provisions designed to advance and maintain the quality of management within Stadswonen Rotterdam.
- Residents' Committee: a representation of tenants and residents chosen by the tenants and residents, and accepted by Stadswonen Rotterdam, who serve the interests of tenants and residents in matters concerning accommodation management and living environment.

- SHS: Stichting Huurdersbelang Stadswonen. The umbrella representation for all Stadswonen Rotterdam tenants as an advisory and advocacy body in matters concerning Stadswonen Rotterdam general policy and management.
- Management Structure Committee: the committee established by SHS and Stadswonen Rotterdam.

1.3 Ultimate responsibility

1. Ultimate responsibility for Stadswonen Rotterdam policy and management always rests with Stadswonen Rotterdam, since it must account for itself and the government in fulfilling its task with relation to public housing, now and in the future.
2. As a result of this responsibility, final authority in decision-making rests with Stadswonen Rotterdam, with the understanding that Stadswonen Rotterdam strives to make decisions which align as closely as possible with the positions resulting from the participation process.

1.4 Boundaries

The boundaries within which the participation process operates are formed by:

- a. Stadswonen Rotterdam objectives;
- b. regulations with which Stadswonen Rotterdam must comply;
- c. applicable agreements and obligations that Stadswonen Rotterdam has entered into or will enter into.

1.5 Forms of management

1. Management exists at three formal levels:
 - a. individual tenant;
 - b. Residents' Committee;
 - c. SHS.
2. Depending on the subject being discussed, the default management position is to consult with the smallest possible representation of tenants and/or residents to whom the subject concerns.

3. As may be required on a case-by-case basis, Stadswonen Rotterdam can also look into differing forms of management from those mentioned above to see if there is another suitable form of participation and/or way of consulting with those involved. However, existing formal levels can never be surpassed by other non-formal forms of management.
4. In the event of major maintenance and/or renovation projects relating to the accommodation, Stadswonen Rotterdam can set up ad hoc committees which are formed solely for the purpose of conducting consultations about preparation and implementation of these projects.

1.6 Adoption and amendment of the Management Regulations

Proposals for changes to these Management Regulations are only possible if agreed in writing with individual tenants or their representative bodies.

2. Organisation within the residential building

2.1 General

The following rules for organisation within a residential building apply to every building housing more than 29 residents.

2.2 Residents' Assembly

2.2.1 Residents' Assembly composition

1. All of a residential building's residents are entitled to participate in its Residents' Assembly and have voting rights.
2. Within these regulations, "residents" as referred to in the preceding paragraph are understood to mean:
 - Natural persons who are entered into a legally binding Tenancy Agreement with Stadswonen Rotterdam for an accommodation unit in the residential building concerned.
 - Partners of tenants of so-called cohabitation units, for whom this is their primary residence.
 - Subtenants in accordance with article 6.2.3 of the General Rental Terms & Conditions.

3. Residents' Committee members do not have any voting rights with the Residents' Assembly.
4. Those who only rent business premises, storage spaces, or use the building for meetings or so forth are not entitled to participate in the Residents' Assembly.
5. Further details concerning the composition of the Residents' Assembly can be found in the Management Guide and/or a separate working agreement.

2.2.2 Residents' Assembly procedures

1. The Residents' Assembly meets at least once a year, or as often as requested in writing to the Residents' Committee by at least ten percent of the building's residents.
2. Residents' Assembly meetings are convened by the Executive Committee (see article 2.4).
3. Residents' Assembly meetings are chaired by the Executive Committee's Manager. In this person's absence, meetings are chaired by the Executive Committee's Assistant Manager or Treasurer.
4. Minutes of Residents' Assembly meetings are taken by a member of the Residents' Assembly.
5. Minutes of Residents' Assembly meetings are to be distributed to all accommodation units within fourteen days of the meeting taking place.
6. Residents' Assembly decisions are made via majority vote from meeting attendees who are entitled to vote.
7. In the interests of facilitating objective conclusions, the Residents' Assembly Chairman and/or Residents' Committee' Advisor can determine a quorum for voting on certain subjects. If this quorum is not achieved, a decision can be made via a written poll or referendum.
8. Decisions made by the Residents' Assembly are binding for all residents.
9. In the event of votes being tied, the proposal is rejected.

2.2.3 Residents' Assembly duties and powers

1. The Residents' Assembly addresses all matters directly concerned with the living environment in and around the residential building.
2. Depending on the size of the residential building, the Residents Assembly appoints four to ten members to the Board (i.e. the Residents' Committee).
3. The Residents' Assembly discusses the Residents' Committee annual report.
4. The Residents' Assembly appoints an Audit Committee consisting of at least two of its members to check the annual financial statements.
5. The Residents' Assembly can provide solicited and unsolicited advice to the Residents' Committee.
6. The Advisor (see Article 2.3.1.10) can put Resident's Committee policy or specific decisions to the Residents' Assembly for assessment.
7. The Residents' Assembly can invite third parties to attend its meetings; these third parties do not have voting rights.
8. The Residents' Assembly can invite the Residents' Committee to respond to questions about aspects of its policy between meetings.

2.3 Residents' Committee

2.3.1 Residents' Committee composition

1. The Residents' Committee is the Board of the Residents' Assembly.
2. The Board consists of four to ten residents of the relevant residential building, who are appointed by the Residents' Assembly.
3. The Board chooses an Executive Committee from its members (a Manager + a Treasurer).
4. The Residents' Committee proposes its own new members. Residents are informed of these proposals through them being posted on the official notice board and their inclusion on the agenda for the next Residents' Assembly meeting.
5. The appointment of members to the Board is determined by a majority vote among the Residents' Assembly. If requested, this can be done via a sealed (secret) ballot.

6. Deselection of Board members is determined by a majority vote by the Residents' Assembly.
7. All residents who are entitled to participate in the Residents' Assembly (see article 2.2.1) can stand for election to the Residents' Committee. Residents who are employed by Woonstad Rotterdam, or who are part of the management or Supervisory Board or an established household which includes a member of staff, are excluded from standing.
8. Subtenants (in accordance with Article 6.2.3 of the Rental Terms & Conditions) are excluded from membership of the Residents' Committee because of the temporary nature of their stay in the building.
9. The Residents' Committee must properly reflect the composition of the building's residents. This means that the various groups with group-related housing interests must be able to be represented in the Residents' Committee.
10. The Residents' Committee can appoint an unpaid Advisor.

2.3.2 Residents' Committee procedures

1. The Residents' Committee meets at least eight times a year, or more often if desired by at least one third of its eligible members.
2. There is a responsibility at every regular meeting to present the Executive Committee with an account of the policy pursued over the period just ended and plans for the period ahead.
3. In addition to the regular meetings described in the previous paragraph, meetings can be arranged to discuss specific topics.
4. Minutes of the meetings are taken by a member of the Executive Committee.
5. Meeting minutes must be published within fourteen days, via a notice board and/or distributed by email and/or physical notifications in individuals' mailboxes.
6. Residents' Committee meetings are chaired by the manager. In their absence, this is done by the assistant manager or treasurer.
7. Residents' Committee meetings are convened by the Executive Committee.
8. The Residents' Committee can ask for a representative from Stadswonen Rotterdam to attend a meeting.
9. Resident's Committee decisions are determined by majority vote. At least 50% of the members must take part for the decision to be legally valid.

10. If the votes are tied, a subsequent meeting must be convened no more than one month later to hold the vote again.
11. If the votes are tied again after a second vote, the proposal must be submitted to the Residents' Assembly for a decision.

2.3.3 Residents' Committee duties and powers

1. The Residents' Committee is responsible for exercising all rights and powers conferred on it by the Management Structure and any working agreements.
2. The Residents' Committee's duties and powers include the following four spheres of activity:
 - proposing new tenants (see article 5.2);
 - payment and setting of 10 of the service costs (see article 5.3);
 - providing consultation sessions and handling and/or settling of complaints (see article 5.4);
 - monitoring and maintaining a good environment for living and study (see article 5.5).
3. For the purposes of exercising its rights and powers, the Residents' Committee appoints an Executive Committee (see article 2.4).
4. The appointment of the Executive Committee is carried out according to the recommendations by a selection committee which is appointed from members of the Residents' Committee.
5. The Residents' Committee ensures the Executive Committee properly exercises its assigned duties.
6. The Residents' Committee is responsible for supervising the Minor Repairs Fund and other funds it manages.
7. All matters that have an influence on the living environment in and around the residential building are dealt with by the Residents' Committee.
8. The Residents' Committee monitors compliance with the provisions of the Tenancy Agreement, the Rental Terms & Conditions and these Management Regulations, as well as other regulations and residency rules which may be created.
9. The Residents' Committee oversees the cleaning programme, the general hygiene in and around the residential building and implementation of hygiene checks.

10. The Residents' Committee supervises the technical maintenance that falls to tenants as well as the overall technical maintenance.
11. The Residents' Committee imposes fines for violations of provisions in the Tenancy Agreement, the Rental Terms & Conditions and the Management Regulations.
12. Each year prior to 1 April, the Manager presents a social report of the work carried out in the previous calendar year to the Residents' Committee.
13. Each year prior to 1 April, the Treasurer presents a financial report of the previous calendar year to the Residents' Committee.
14. The financial report referred to in the previous paragraph must include a realistic representation of the funds, assets, debts and reserves managed by the Residents' Committee.
15. Both of these Residents' Committee reports must be submitted to the Residents' Assembly for approval before 1 April each year.
16. Upon approval of both Residents' Committee reports by the Residents Assembly, the Residents' Committee is released from the previous calendar year's pursued policy and financial management.
17. The annual report and the financial report shall be submitted to Stadswonen Rotterdam for inspection every year before 1 May.
18. Residents can take any appeals against Residents' Committee decisions to the Stadswonen Rotterdam Management Structure Committee.
19. Before appealing to the Management Structure Committee, the resident must first lodge an objection with the Residents' Committee, within two weeks. If the Residents' Committee decides to uphold their decision, the resident can take their appeal to the Management Structure Committee within fourteen days of the ruling.
20. Exceeding the allowed time period for lodging an appeal makes the appeal inadmissible. For further information, see the Management Structure Committee Regulations, which can be found on the landlord's website.

2.4 Executive Committee of the Residents' Committee

2.4.1 Executive Committee composition

1. The Executive Committee of the Residents' Committee consists of a Manager and a Treasurer. For residential buildings with more than one hundred rental units, an Assistant Manager is added to the composition. It is not permissible to have just one person carrying out all these functions.
2. Deviations from the provisions in the previous paragraph are only permissible following consultation between the Residents' Committee and Stadswonen Rotterdam.
3. The members of the Executive Committee are elected and appointed by the Residents' Committee.
4. The Residents' Committee appoints a Selection Committee from among its members for the purpose described in the previous paragraph.
5. The Selection Committee is comprised of roles such as an Advisor (see article 2.3.1.10), a Manager and two members of the Residents' Committee. The Advisor has no voting rights, unless the Residents' Committee determines otherwise.
6. The invitation to apply for the position of Manager must be done via an open procedure which includes, among other things, placing an announcement in a periodical publication from each of the educational establishments.
7. The Manager and the Assistant Manager must be recruited from Stadswonen Rotterdam's primary target group.
8. Executive Committee members are appointed via an official letter from the Residents' Committee. This letter contains a role description and possibly a description of how the tasks are divided between the various Executive Committee members.
9. Executive Committee members can only be deselected by the body that has appointed them, in this case the Residents' Committee.
10. Executive Committee members will be deselected, in any case, if they are no longer living in the residential building concerned.
11. Graduation and/or becoming \rightarrow 50% employed is also a just cause for deselection, at the discretion of the Residents' Committee.
12. The Residents' Committee can suspend an Executive Committee member if they do not consider the member to be performing their role satisfactorily.
13. In the case of an Executive Member being suspended, this must be reported immediately to the Stadswonen Rotterdam Management Structure.

14. In the case of an Executive Committee member's suspension, it is possible that the member will only be deselected after a hearing by the Management Structure Committee.
15. In the event of an Executive Committee member being deselected, certain time periods and procedures must be observed. These time periods and procedures are further specified in the Management Manual. The Residents' Committee has a copy of this Management Manual, which is always readily available for viewing.

2.4.2 Executive Committee procedures

1. The Executive Committee meets on average once a month.
2. Meetings are recorded through minutes or summarised by one of the Executive Committee members.
3. Executive Committee reporting is public.
4. Executive Committee reporting is sent to all Residents' Committee members, at a minimum.

2.5 Audit Committee

1. An Audit Committee is a requirement for all residential buildings with more than 29 residents.
2. The Audit Committee consists of at least two and a maximum of four members.
3. The members of the Audit Committee must originate from the Residents' Assembly.
4. The members of the Audit Committee cannot also be members of the Residents' Committee.
5. If the Residents' Assembly fails to appoint an Audit Committee, the annual reports must be submitted to an external accountant for review.
6. The Audit Committee is commissioned by the Residents' Assembly.

2.6 Other Committees

1. Any residential building can also have other committees in operation, in addition to its Residents' Committee.
2. All other committees work under the supervision and responsibility of the Residents' Committee.

3. Organisation within a Small-scale Property

3.1 General

The following regulations apply to the organisation of Stadswonen Rotterdam's Small-scale Properties, which are defined as residential buildings with 29 or fewer residents.

3.2 Selection of the Nestor

1. Residents of Small-scale Properties select a Nestor every year from among their midst before 1 October. The Nestor is chosen by majority vote.
2. The Small-scale Property residents inform Stadswonen Rotterdam of who they have chosen as their Nestor.

3.3 Nestor duties and powers

1. The Nestor promotes the interests of those residing in the property and represents them.
2. The Nestor determines the selections of proposed new tenants in close consultation with Stadswonen Rotterdam. If there is no Nestor, these selections from the applicants may be made collectively by the residents or directly by Stadswonen Rotterdam.
3. The Nestor ensures the fire prevention facilities are not misused and remain in good functional condition.
4. The Nestor ensures good hygiene is maintained in and around their property and maintains contact with Stadswonen Rotterdam in respect to these matters.
5. The Nestor ensures that their building's residents do not cause nuisance to fellow residents and/or neighbours.
6. The Nestor must be present in the event of Stadswonen Rotterdam or its authorised representative conducting checks on the rooms, in compliance with the provisions of the Tenancy Agreement and the Housing Regulations.
7. The Nestor is authorised to commission repairs, for which the costs are to be borne by the residents, to Stadswonen Rotterdam.

8. The Nestor is authorised to commission repairs, for which the costs are to come out of the Minor Repairs Fund, to Stadswonen Rotterdam.
9. Two designated Nestors from all the Small-scale Properties can represent all the Small-scale Property residents at Stichting Huurdersbelang Stadswonen meetings.

4. Organisation within Stadswonen Rotterdam

4.1 General

Contact between the various parties is of great importance in ensuring good management in and around the residential buildings and premises.

4.2 Teams

1. To facilitate good arrangements between everybody, the residential buildings and Small-scale Properties are allocated to teams. There is a Stadswonen Rotterdam team available to representatives of every resident.
2. The teams maintain almost weekly contact via the Managers, Treasurers and Nestors about day-to-day, financial and technical matters, as well as social and tenancy management in the buildings.

4.3 The Residents' Committee Consultation

1. The Residents' Committee Consultation is a consultation between a Stadswonen Rotterdam team, a residential building's Residents' Committee and, possibly also, the Stadswonen Manager.
2. The purpose of the Residents' Committee Consultation is to identify and resolve any bottlenecks that occur within the team concerned regarding the implementation of management and/or working agreements.
3. The team's member of staff responsible for Social Management acts as the chairman.
4. A list of agreements is made following each consultation.
5. The Residents' Committee Consultation takes place twice a year, once in the spring and once in the autumn.

4.4 The Small-scale Properties Consultation

1. The Small-scale Properties Consultation is a consultation between a Stadswonen Rotterdam team, the Nestors from the buildings within the neighbourhood concerned and, possibly also, the Stadswonen Manager.
2. The purpose of the Small-scale Properties Consultation is to identify and resolve any bottlenecks that occur within the team concerned regarding the implementation of management and/or working agreements.
3. The team's member of staff responsible for Social Management acts as the chairman.
4. A list of agreements is made following each consultation.
5. The Small-scale Properties Consultation takes place at least once a year.

5. Practical rules

5.1 General

The practical side of the Management Structure consists of four working areas.

This chapter covers the following:

- nominations of new tenants;
- paying and setting of service costs;
- consultation sessions/handling of complaints;
- monitoring and maintaining a good environment for living and study.

To conclude, here are a few general rules.

5.2 Nominations of new tenants

1. The Residents' Committee's Executive Committee is allowed to propose new tenants on the basis of the internal instructions given.
2. The internal instructions are further described in the Management Manual (and/or in any working agreements that have been drawn up), of which the most recent edition has been received by the Residents' Committee.
3. The instructions have time limits within which action must be taken.
4. In the event of the time period mentioned in the previous paragraph expiring, authority over this matter for the residential unit concerned automatically passes to Stadswonen Rotterdam, without the need for any notice to be issued.

5. Stadswonen Rotterdam reserves the right at all times to refuse to offer a Tenancy Agreement to a nominated person.
6. Stadswonen Rotterdam reserves the right to retract the authority to nominate new tenants during a specific period.

5.3 Service costs

1. Stadswonen Rotterdam agrees the actual service costs for the previous calendar year with the Residents' Committee and balances these against the payments already made by tenants.
2. The service costs for the following calendar year are set in consultation with the Residents' Committee.
3. For the purposes of paying and setting the service costs, the Residents' Committee holds accurate administrative details of the various funds in the form of financial statements. The instructions for this are further specified in the Management Manual (and/or in any relevant working agreements), of which the Residents' Committee is in possession of the most recent edition.
4. For the purposes of paying and setting utility bills, the Residents' Committee holds accurate administrative details of the usage and meter readings.

5.4 Consultation sessions/handling of complaints

1. The Residents' Committee facilitates consultation sessions with the building's tenants and prospective tenants at least once a week.
2. Based on the pre-agreed allocation of tasks, the consultation sessions will be conducted by the Manager or their assigned deputy.
3. Residents who wish to submit technical complaints need to do so by putting them to the Manager during these consultation sessions or reporting them to Stadswonen Rotterdam (either via the Stadswonen Portal or by telephone).

5.5 Monitoring and maintaining a good environment for living and study.

1. The Residents' Committee is tasked with monitoring and maintaining order, tranquillity and a good environment for living and study.
2. The Residents' Committee is tasked with conducting hygiene checks at least once a year.
3. The Residents' Committee is responsible for checking the work carried out by cleaning companies commissioned by Stadswonen Rotterdam.

4. The Residents' Committee is responsible for overseeing general safety in the building, with special attention to fire safety.
5. To this end, it ensures that evacuation routes, stairwells and emergency exits are always free from obstruction.
6. The Residents' Committee ensures the residents as a whole are regularly represented through the Manager or the Manager's designated deputy during communications with neighbourhood organisations, community agents, etc.
7. The Residents' Committee is entitled to impose fines up to a maximum of €31.00 (level as of January 2019, to be indexed according to CBS All Households Consumer Price Index).
8. The Residents' Committee must draw up a clear policy on fines and make this known to those residing in the building.
9. The purpose of the fining policy is to enforce rules so that an orderly and tranquil environment for living and study is maintained.
10. The fining policy must be approved by Stadswonen Rotterdam.
11. The Residents' Committee is entitled to accept or reject requests to keep pets.
12. The Residents' Committee must draw up clear rules with regard to keeping pets in the residential building.
13. The rules for keeping pets must be approved by Stadswonen Rotterdam.
14. If the Residents' Committee fails to perform the above tasks properly and/or in a timely fashion, they fall to Stadswonen Rotterdam without any need to issue notice.

5.6 General rules

1. The Residents' Committee is ultimately responsible for the correct implementation of the Management Structure in and around the residential building.
2. For any matters which are not explicitly covered in these Management Regulations, the Executive Committee must ask the Residents' Committee for permission and release of any related finances.
3. Decisions on the above must be recorded via minutes.

