

PROPERTY MANAGEMENT

PROPERTY MANAGEMENT, BECOMING A
MANAGING AGENT AND RESIDENT
RESPONSIBILITIES



PROPERTY MANAGEMENT FAQs

WHAT IS A MANAGEMENT COMPANY?

A MANAGEMENT COMPANY IS A CORPORATE ENTITY FORMED FOR THE PURPOSES OF MANAGEMENT AND ADMINISTRATION OF A MULTI-UNIT DEVELOPMENT. THIS IS USUALLY A COMPANY LIMITED BY GUARANTEES. IT IS A LEGAL REQUIREMENT TO HAVE A MANAGEMENT COMPANY IN PLACE IN MULTI-UNIT DEVELOPMENTS.

WHO IS THE MANAGEMENT COMPANY?

THE MANAGEMENT COMPANY CONSISTS OF ALL OWNERS OF PROPERTIES IN THE DEVELOPMENT.

WHO IS IN CONTROL OF THE MANAGEMENT COMPANY?

LIKE ALL LIMITED COMPANIES, THE BOARD OF DIRECTORS IS RESPONSIBLE FOR ALL KEY DECISIONS IN THE MANAGEMENT COMPANY.

HOW DO I BECOME A DIRECTOR OF THE MANAGEMENT COMPANY?

TO BECOME A DIRECTOR OF A MANAGEMENT COMPANY YOU MUST PUT YOUR NAME FORWARD AT AN ANNUAL GENERAL MEETING. YOUR NOMINATION MUST THEN BE VOTED BY OTHER MEMBERS OF THE MANAGEMENT COMPANY.

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WHAT ARE MY RESPONSIBILITIES AS A RESIDENTS' MANAGEMENT COMPANY DIRECTOR?

IT IS THE ROLE OF THE DIRECTORS TO ACT IN A VOLUNTARY CAPACITY IN THE BEST INTERESTS OF ALL THE MEMBERS OF THE MANAGEMENT COMPANY. THESE RESPONSIBILITIES INCLUDE ENSURING COMPLIANCE WITH ALL STATUTORY AND REGULATORY OBLIGATIONS ON THE MANAGEMENT COMPANY.

WHAT IS A RESIDENTS' MANAGEMENT COMMITTEE AND HOW DOES IT DIFFER TO THE BOARD OF DIRECTORS?

USUALLY, AT THE START OF AN ESTATE / DEVELOPMENT, AN AD-HOC OWNERS' COMMITTEE IS FORMED TO LIAISE WITH THE MANAGEMENT AGENT AND / OR DEVELOPER ON ESTATE MANAGEMENT ISSUES. ALTHOUGH THE OWNERS' COMMITTEE HAS NO LEGAL STANDING, THE COMMITTEE MEMBERS OFTEN VOLUNTEER AS DIRECTORS WHEN THE DEVELOPERS EVENTUALLY HAND OVER THE ESTATE TO THE MEMBERS.

HOW CAN I HAVE MY SAY IN THE RUNNING OF THE MANAGEMENT COMPANY?

IF YOU WOULD LIKE TO GET INVOLVED IN THE RUNNING OF YOUR MANAGEMENT COMPANY, PLEASE CONTACT CIRCLE VHA.

WHAT DOES THE INSURANCE PAID THROUGH THE MANAGEMENT COMPANY COVER?

THE MANAGEMENT COMPANY INSURANCE POLICY (KNOWN AS THE "BLOCK POLICY") USUALLY COVERS, INTER ALIA, THE EXTERNAL STRUCTURE OF AN APARTMENT BLOCK, THE COMMON AREAS, DAMAGE CAUSED BY A BURST WATER PIPE, SUBSIDENCE, VANDALISM, STORM DAMAGE. IT IS IMPORTANT THAT TENANTS THOROUGHLY CHECK THE POLICY BEFORE SUBMITTING A CLAIM.

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WHAT HAPPENS IF I HAVE AN INSURANCE CLAIM?

IF A TENANT WANTS TO MAKE A CLAIM UNDER THE BLOCK POLICY, FIRSTLY THEY MUST CONTACT THE MANAGEMENT AGENT. THE AGENT WILL FORWARD THE CLAIM TO THE BROKERS, WHO WILL APPOINT A LOSS ADJUSTER. IT IS THE LOSS ADJUSTER WHO DECIDES WHETHER A VALID CLAIM EXISTS.

INSURANCE POLICIES NORMALLY HAVE AN EXCESS LIMIT FOR AN INSURANCE CLAIM. THE EXCESS LIMIT MEANS THAT A CLAIM CAN ONLY BE MADE FOR AN AMOUNT GREATER THAN THE LIMIT STATED ON THE POLICY. THIS VARIES ACROSS SCHEMES AND IS INFLUENCED BY THE LEVEL OF CLAIMS MADE. THE EXCESS AMOUNT CAN RANGE FROM A LIMIT OF €500 TO OVER €2,000 PER CLAIM.

WHAT ARE MY RIGHTS AND WHERE CAN I FIND OUT MORE?

FOR FURTHER INFORMATION ON YOUR RIGHTS AS A MEMBER OF AN OWNERS' MANAGEMENT COMPANY, PLEASE CONTACT THE COMPETITION AND CONSUMER PROTECTION COMMISSION.

WHAT DO I DO IF I WANT TO COMPLAIN?

IF YOU HAVE ANY COMPLAINTS / QUERIES, PLEASE EMAIL [INFO@CIRCLEVHA.IE](mailto:info@circlevha.ie) OR CONTACT OUR OFFICE BY PHONE AT 01-4072110.

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WHAT INFORMATION ON THE MANAGEMENT COMPANY AM I ENTITLED TO?

AS A MEMBER OF THE MANAGEMENT COMPANY YOU ARE ENTITLED TO VIEW THE COMPANY'S AUDITED ACCOUNTS, COPIES OF THE BLOCK INSURANCE POLICY AND ANY OTHER RELEVANT FINANCIAL AND OPERATIONAL INFORMATION.

WHAT COMMUNICATIONS SHOULD I RECEIVE FROM THE MANAGEMENT COMPANY?

EVERY YEAR, YOU SHOULD RECEIVE A NEWSLETTER GIVING THE BREAKDOWN OF THE COSTS INVOLVED IN THE MANAGEMENT OF YOUR ESTATE. THIS SHOULD INCLUDE A PROPOSED BUDGET, DESCRIPTION OF SERVICES AND THE THIRD PARTY CONTRACTORS USED.

WHAT SHOULD I DO IF I AM PURCHASING OR SELLING A PROPERTY IN A MANAGED ESTATE?

YOU SHOULD CONTACT YOUR SOLICITOR TO ADVISE ON THE LEGAL IMPLICATIONS OF LIVING IN A PRIVATELY MANAGED ESTATE. YOU SHOULD ALSO CONTACT YOUR MANAGING AGENT TO ENSURE THAT YOUR SOLICITOR HAS FORWARDED DETAILS OF THE PURCHASE / SALE TO THE MANAGEMENT COMPANY.

WHAT IS A SINKING FUND?

A SINKING FUND / BUILDING INVESTMENT FUND IS A RESERVE FUND ESTABLISHED TO FINANCE LONG-TERM MAINTENANCE PROJECTS THAT ARISE OVER THE LIFETIME OF A MULTI-UNIT DEVELOPMENT. AS THESE COSTS CAN BE VERY EXPENSIVE, IT IS ESSENTIAL THAT A SINKING FUND IS CREATED FOR ALL MANAGEMENT COMPANIES TO ENSURE THAT THE MEMBERS DO NOT HAVE TO PAY LARGE LEVIES FOR THESE WORKS WHEN THEY ARISE.

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WHAT IS THE MULTI-UNIT DEVELOPMENT ACT 2011?

THE MULTI-UNIT DEVELOPMENT ACT 2011 IMPROVES THE REGULATION OF MULTI-UNIT DEVELOPMENTS AND THE GOVERNANCE OF MANAGEMENT COMPANIES IN SUCH DEVELOPMENTS.

HOW DOES THIS AFFECT ME AS A MEMBER OF A RESIDENTS' MANAGEMENT COMPANY?

THE ACT IS DESIGNED TO GIVE GREATER TRANSPARENCY AND CONTROL TO HOMEOWNERS IN MULTI-UNIT DEVELOPMENTS. IT AIMS TO TACKLE MANY OF THE ISSUES THAT HAVE ARISEN IN THE AREA OF SERVICE CHARGES, HANDOVER OF ESTATES AND GENERAL MEETINGS.

WHAT IS THE PROPERTY SERVICES REGULATORY AUTHORITY?

THE PROPERTY SERVICES REGULATORY AUTHORITY AIMS TO REGULATE PROPERTY PROFESSIONALS INVOLVED IN THE AREA OF SELLING, MANAGEMENT AND LETTING OF PROPERTY. THE MUD ACT 2011 ESTABLISHED A NEW LICENSING SYSTEM, STANDARDS OF EDUCATION AND PROCEDURES FOR INVESTIGATION OF MALPRACTICE. ALL MANAGING AGENTS HAVE TO BE REGISTERED AND APPROVED BY THE PROPERTY SERVICES REGULATORY AUTHORITY. CIRCLE VHA IS AN APPROVED MANAGING AGENT WITH THE PSRA.

WHEN DO I PAY MY SERVICE CHARGE?

YOU MUST PAY YOUR SERVICE CHARGE AS SOON AS YOU RECEIVE NOTICE FROM THE MANAGEMENT COMPANY THAT IT IS DUE.

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MY SERVICE CHARGE ACCOUNT IS IN ARREARS – HOW CAN I RESOLVE THE SITUATION?

IF YOU ARE IN ARREARS, PLEASE CONTACT YOUR MANAGEMENT AGENT AS SOON AS POSSIBLE. FAILURE TO DO SO MAY RESULT IN LEGAL PROCEEDINGS BEING TAKEN AGAINST YOU BY THE MANAGEMENT COMPANY.

I AM SELLING MY PROPERTY, DO I HAVE TO CONTINUE TO PAY YOUR SERVICE CHARGES?

YES, THE SERVICE CHARGE REMAINS ON YOUR ACCOUNT UNTIL PAID. THE BUYER'S SOLICITOR WILL INSIST THAT THE PROPERTY IS NOT CONVEYED UNTIL ALL OUTSTANDING SERVICE CHARGES ARE DISCHARGED.

INVOICES AND STATEMENTS ARE NOT IN MY NAME?

THIS MAY BE BECAUSE YOUR SOLICITOR HAS NOT CONTACTED THE MANAGEMENT COMPANY TO ADVISE THEM THAT YOU NOW OWN THE PROPERTY. PLEASE CONTACT THE MANAGEMENT AGENT TO INFORM THEM.



MANAGING AGENT FAQs



WHO IS THE MANAGEMENT AGENT?

THE MANAGEMENT AGENT IS A PERSON OR COMPANY EMPLOYED BY THE BOARD OF DIRECTORS TO CARRY OUT DAY-TO-DAY MANAGEMENT FUNCTIONS OF THE MANAGEMENT COMPANY.

WHY DOES THE MANAGEMENT COMPANY REQUIRE A MANAGING AGENT?

AS THE BOARD OF DIRECTORS ACTS IN A VOLUNTARY CAPACITY, IT OFTEN MAKES PRACTICAL SENSE TO DELEGATE DAY-TO-DAY MANAGEMENT FUNCTIONS TO AN AGENT. THE AGENT SHOULD ALSO HAVE EXPERTISE IN THE AREA OF STATUTORY AND REGULATORY REQUIREMENTS FOR THE MANAGEMENT COMPANY.

WHAT DOES THE MANAGING AGENT DO?

THE AGENT'S DUTIES INCLUDE COLLECTION OF SERVICE CHARGE, REPAIRS AND MAINTENANCE, COMMUNICATION WITH MEMBERS, FINANCIAL MANAGEMENT, INCLUDING PREPARATION OF ACCOUNTS FOR AUDIT AND INSURANCE MANAGEMENT.

HOW DO I CONTACT MY MANAGING AGENT?

THE AGENT SHOULD MAKE REGULAR COMMUNICATION WITH MEMBERS INFORMING THEM OF THEIR CONTACT DETAILS. CIRCLE VHA ACTS AS MANAGING AGENT FOR SEVERAL MULTI-UNIT DEVELOPMENTS.



WHY CHOOSE CIRCLE VHA AS THE MANAGING AGENT?

CIRCLE VHA IS AN EXPERIENCED ESTATE MANAGEMENT AGENT THAT OFFERS A PROFESSIONAL AND COST EFFECTIVE SERVICE. ALL EMPLOYEES WORKING IN OUR ESTATE MANAGEMENT SECTION HAVE CONSIDERABLE PROPERTY MANAGEMENT EXPERIENCE, IN BOTH THE PUBLIC AND PRIVATE SECTORS.

ALL OF OUR THIRD PARTY CONTRACTORS ARE SUFFICIENTLY QUALIFIED AND EXPERIENCED IN THEIR FIELDS. WE ALSO HAVE AN IN-HOUSE MAINTENANCE TEAM WHO CAN ATTEND TO MAINTENANCE WORKS AT VERY COMPETITIVE RATES, RESULTING IN CONSIDERABLE REPAIR AND MAINTENANCE SAVINGS FOR ANY DEVELOPMENT OVER THE COURSE OF A FINANCIAL YEAR.

AS A NON-PROFIT ORGANISATION, WE ALSO AIM TO ENSURE THAT SERVICE CHARGES ARE SET AT AN AFFORDABLE LEVEL WITHOUT ANY IMPACT ON SERVICE LEVELS.

CIRCLE VHA IS THE MANAGING AGENT FOR DEERPARK / KILTIPPER, DUBLIN 24; STOCKING WELL WOOD, DUBLIN 14; THORNTON HEIGHTS, INCHICORE, DUBLIN 8, SEAN TREACY HOUSE AND PEADAR KEARNEY HOUSE, DUBLIN 1; KETTLES LANE, KINSEALY, COUNTY DUBLIN AND ROSCONNELL, NEWBRIDGE, COUNTY KILDARE.

PLEASE CONTACT CIRCLE VHA DIRECTOR OF PROPERTY RUSSELL GRAINGE - RGRAINGE@CIRCLEVHA.IE IF YOU ARE A LOCAL AUTHORITY OR PROPERTY DEVELOPER LOOKING TO ESTABLISH A MANAGEMENT COMPANY, OR A BOARD OF DIRECTORS LOOKING TO APPOINT A NEW MANAGING AGENT AND WOULD LIKE TO DISCUSS WHAT CIRCLE VHA HAS TO OFFER.

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WHAT ARE HOUSE RULES?

THE HOUSE RULES ARE A SET OF REGULATIONS FOR LIVING IN A MULTI-UNIT DEVELOPMENT TO WHICH ALL RESIDENTS MUST ADHERE. THE RULES ARE LAID OUT IN THE HEAD LEASE SIGNED BY ALL MEMBERS ON CLOSE OF SALE.

LIVING IN A NEW PHASED DEVELOPMENT: WHAT TO EXPECT IN THE EARLY YEARS

OFTEN IN THE EARLY YEARS OF A DEVELOPMENT RESIDENTS MAY FEEL FRUSTRATED BECAUSE OF ONGOING CONSTRUCTION WORK BEING UNDERTAKEN IN THEIR ESTATE. THE DEVELOPER OFTEN RETAINS CONTROL OF THE MANAGEMENT COMPANY AND MAY NOT APPOINT A MANAGEMENT AGENT TO RUN THE ESTATE. IT IS USUALLY A GOOD IDEA FOR RESIDENTS TO FORM A COMMITTEE TO MEET WITH THE DEVELOPER / AGENT TO COMMUNICATE ANY PROBLEMS THEY MAY BE HAVING.

NOISE ISSUES IN PRIVATELY MANAGED ESTATES

IF A TENANT IS EXPERIENCING A NOISE DISTURBANCE CAUSED BY A NEIGHBOUR, THEY ARE ASKED TO CONTACT THE MANAGEMENT AGENT. THE MANAGEMENT AGENT WILL WRITE TO THE OFFENDING RESIDENT, ADVISING THEM OF THE HOUSE RULES AND REQUESTING THAT THEY DESIST FROM ENGAGING IN ANTI-SOCIAL BEHAVIOUR. IF THE PROBLEM CONTINUES, TENANTS MAY APPLY IN THE DISTRICT COURT FOR A NOISE POLLUTION ORDER AGAINST THE OFFENDING RESIDENT. PLEASE NOTE THAT THE MANAGEMENT COMPANY CANNOT APPLY FOR THIS ORDER.

ARE SATELLITE DISHES ALLOWED IN MY ESTATE?

IT IS A COMMON HOUSE RULE THAT SATELLITE DISHES MUST NOT BE ERECTED IN AN ESTATE. IT IS ALSO A BREACH OF THE PLANNING LAWS TO ERECT A DISH TO THE FRONT OF YOUR UNIT. THE MANAGEMENT COMPANY HAS THE RIGHT TO REMOVE UNAUTHORISED DISHES.



FOR FURTHER QUERIES PLEASE CONTACT
FACILITIESMANAGEMENT@CIRCLEVHA.IE