Independent Park Home Advisory Service (2021) Ltd

Guidance – Setting Up a Qualifying Residents Association

A Qualifying Residents' Association (QRA) is a formally recognised residents' group on a park home site that represents the interests of the homeowners collectively. Having one can make a huge difference in how residents communicate with and influence the site owner.

The main purpose of a QRA is to represent the interests of all residents living on the park home site to act as a collective voice when dealing with the site owner or manager. It's role is to consult with the site owner on matters that affect residents, particularly pitch fee reviews and site maintenance or improvements and should encourage cooperation between residents and the site owner.

A QRA gives park home residents stronger rights under the Mobile Homes Act 1983, particularly around consultation (e.g. onsite rules, improvements, pitch fee reviews). For your association to be formally recognised as a QRA under the 1983 Act (as amended), you must meet these criteria:

1. **Membership**
   - At least 50% of the homes on the site must be members.
   - Only homeowners (occupiers under a Written Statement) can be members — tenants, family, or lodgers cannot.
   - Each home counts once (if two people jointly own a home, they only count as one "vote").

2. **Structure**
   - The association must have a constitution or rules that set out:
     - Objectives,
     - How members join and leave,
     - How decisions are made (meetings, voting),
     - How officers (chair, secretary, treasurer) are elected.
   - Must have elected officers (not just informal leadership).

3. **Independence**
   - The association must be run by residents without site owner involvement.
   - The site owner and their family or employees cannot be members.

4. **Written constitution**
   - A written constitution is required, signed and adopted by members.
   - It should be available to all residents and to the site owner if requested.

Steps to set one up

1. **Initial meeting**
   - Gather interested residents and explain what a QRA is and why it's useful.
   - Circulate draft rules/constitution.

2. **Draft a constitution**
   - Use a recognised template (LEASE and Age UK have good examples).
   - Cover aims, membership rules, officers, meetings, voting, finances.
3. **Elect officers**
   - Hold a meeting to elect at least a chair, secretary, and treasurer.
   - Record this in minutes.
4. **Sign up members**
   - Collect names, addresses, and signatures of at least 50% of homeowners.
   - Keep a membership register.

5. **Adopt the constitution**
   - At a general meeting, adopt the constitution formally.
   - Get members to sign a resolution confirming it.
6. **Notify the site owner**
   - Send the site owner a letter stating that you have formed a QRA under the Act, enclosing:
     - A copy of the constitution,
     - The names of your elected officers.

Rights of a QRA

Once established, the site owner must:

- Consult the QRA about proposed site rules and any changes.
- Consult the QRA about improvements to the site that may affect pitch fees.
- Provide information reasonably requested for consultation.

Common pitfalls:

- Membership below 50% (try to get well above this, in case people leave).
- Not keeping a proper membership register.
- Constitution not being properly adopted or too vague.
- Officers not elected transparently.

Ongoing Responsibilities

A Qualifying Residents' Association on a park home site doesn't just "qualify" once and then stay that way forever, it has to maintain certain standards and carry out ongoing responsibilities if it wants to continue being recognised by law under the Mobile Homes Act 1983 (as amended).

1. Maintain Membership Criteria (as above)

2. Proper Constitution & Governance. The association must operate in line with its constitution and review it periodically.

3. Elected Officers. The QRA must continue to have elected officers and elections should be held regularly, usually at an Annual General Meeting (AGM).

4. Communication & Representation. Elected officers should act as a representative voice for members in dealings with the site owner, local authority, and others keeping members informed.

5. Meetings & Record Keeping. Hold regular meetings (AGM + ordinary meetings). Keep minutes, membership records, accounts (if money is collected) and circulate records to members to maintain transparency and accountability.

6. Financial Responsibilities (if applicable)
- If the QRA collects money (subscriptions, donations), it must:
  - Keep clear accounts.
  - Have funds held in the association's name (not a personal account).
  - Report finances to members annually.

7. Maintaining Recognition
- Be prepared to show the site owner (or tribunal) that it still meets the qualifying conditions:
  - Current membership list (with addresses of member homes).
  - Copy of the constitution.
  - Details of elected officers.
- This may be needed if recognition is challenged.

8. Compliance with Law
- Act lawfully and reasonably in representing members.
- Avoid defamation, harassment, or misuse of members' data.
- If incorporated (e.g. as a company limited by guarantee), comply with company law as well.

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