

Motion from MO'D	Mike O'Driscoll's Notes	Response from Larisa Villar Hauser and Louis-Sebastian Kendall	MOD further notes
That Joint candidacies for Chair of the CBWRA committee are not compatible with fair elections. They should not be permitted and if the constitution has been amended to allow them then it must be changed back to not allowing them	.Two people who might have got 35% each if standing individually may get 70% (approx.) if standing jointly. i.e. they pool their votes. This means that any person standing individually is at a massive disadvantage unless they also team up with others. And if two candidates are allowed to stand jointly then why not 3 or 4? It makes a nonsense of the system and is against the constitution at the time of the election in Feb 2023 which says that a CHAIRPERSON shall be elected. There are a number of other issues with joint candidacies (the two candidates may disagree on key issues causing stalemate, or one may resign. There is no individual accountability, which is why they are not allowed for most elected posts (councillors, MPs etc)	- The Constitution does not disallow Joint Chairs. - At the time and since, no one other than Mike has expressed an objection to our joint candidacy. - We stood jointly in order to bring our different skills to what is a challenging role and to share the workload. - We are very closely aligned in our views and approach. - We welcome the opportunity for gauging actual leaseholder concern about this issue.	The constitution states 'A CHAIRPERSON shall be elected' so yes it does disallow joint chairs. This also applies to the 'new' constitution. Working together after the election is fine but not pooling votes to get a massive electoral advantage. Someone who is not capable of doing the role on their own should probably not stand as they may not be up to the job. The amount of 'leaseholder concern' is not the key issue – respecting the constitution is . This comment implies that if residents don't notice/ don't care then any abuse of the constitution/rules are acceptable
- That there be an independent (non committee) investigation into the Garton Jones involvement in the Chair elections in 2023 and other violations of good practice and fairness in the 2023 elections(the joint candidacy of Louis Sebastian Kendall and Larissa Villar Hauser which is in clear contravention of the constitution at that time, The denial of CBW app access to	I believe there have been numerous breaches of fair play in the 2023 chair elections and the constitution . The fact that Garton-Jones emailed its client list (400 approx) while voting was live , sending them voting links and recommending they vote for Larisa and Louis is clearly inappropriate to say the least. No one should be contacting voters once voting has started apart from those running the election, and contact should be neutral, not on behalf of one party . The other major issues I have detailed (The denial of CBW app access to one candidate and the repeated	- We approached Garton Jones to increase engagement. That is, out of a desire to get more people voting rather than a need to bolster our vote share. - We did not ask Garton Jones to support our candidacy but they were very clear about wanting to offer their recommendation to their clients and reserved their right to do so. - We made a choice not to campaign on the app. Firstly, because Mike isn't personally on the app, and secondly because the feedback we receive is	It is completely inappropriate for any third party to contact voters once voting has started, let alone for an email to be sent urging voters to support certain candidates. CBWRA initiated this electoral interference when in fact they had a responsibility to run the election fairly . The claim that they did not 'campaign on the app' is absurd. Simply being on the app increases

one candidate and the repeated attacks on that person on the app by committee members and others which were allegedly in violation of the CBW app rules of use)	attacks on that person on the app by committee members and others which were allegedly in violation of the CBW app rules of use)	that users are put off by politicking on the app.	name recognition massively which is a huge factor in voting decisions. Apart from that, the Chair and committee ran a concerted smear campaign against me on the app and the co chairs were happy to take the benefit of that as well as the alleged intimidation of another candidate by the former Chair, who then withdrew from the election.
CBWRA should ensure there are quarterly HYBRID meetings with URANG if/when they are appointed as managing agents with ALL residents, including non-leaseholders, welcome to attend	In order for residents to get to know the new managing agent (assuming they are appointed) it is important to be able to meet with them regularly face to face . It is also important to be able to assess their progress and performance and to ask questions directly . This is best done face to face so people should have that option as well as catering for those who wish to join online. Online only meetings allow the host (e.g.. Urang) a great degree of control over the meeting and it is much easier for an agent to evade questions or end a discussion in an online meeting. In my view, R and R have been let off the hook by CBWRA who have not pressed them to meet with residents regularly (that pressure had come from residents). There have been only 3 or 4 meetings with R and R since 2021. We do not want to repeat that mistake if/when we get a new managing agent.	- We have no objection to ensuring there are quarterly hybrid meetings with Urang should CBW secure RTM. - In their presentation, Urang already agreed they would hold quarterly meetings. - We decided to hold the September SGM online in order to save on costs and because the only reasonably priced local venue we have found can only cater for Sunday morning meetings. Many leaseholders prefer an evening meeting. - There is no desire to fully move to online meetings and we have already said that (assuming we are in the role of Chair) we will hold the next AGM 'live' with the option to join online, as happened in April. This is our preferred option.	I note that CBWRA state that they intended to hold quarterly meetings with Urang in any case but I doubt that is true since they have been very happy to allow Rendall and Rittner not to hold meetings with residents (a total of 4 have been held since the CBWRA 'reactivated' in January 2021 and these have resulted from resident pressure, not pressure from CBWRA) and CBWRA were also happy for Rendall and Rittner to move to wholly online meetings and to exclude leaseholders from the meetings. CBWRA also planned to exclude non-leaseholders from the proposed quarterly 'leaseholder forums'. These would be the first regular meetings with residents ever held since CBWRA was reactivated in January 2021 (residents were very generously able to attend committee meetings at mute observers, but

	R and R's consultation about whether to have the meetings wholly online was a nonsense – 90% of leaseholders did not take part, it was open for 5 days in July when many were on holiday and the response options were confused (no option for hybrid). CBWRA stated that the R and R's consultation showed that online only meetings were 'popular' and are clearly keen to go fully online also whenever possible, to gain greater control over meetings.		even that was verboten following a committee meeting in May 2023 when the CBWRA committee were heavily criticised by residents present who chose not to be quite so mute, but there have never been regular meetings of the CBWRA committee and residents). The passing of the SGM resolution ensures that residents will be able to interact directly with Urang, to build relationships with them and to ask the questions they want to ask, face to face.
No resident's CBW app account should be closed without a formal and transparent process, which is in writing, and in which the evidence of breaking the rules of use is presented to the resident concerned, they have a chance to respond and that they are given two warnings before account closure.	The arbitrary closure of CBW app accounts or threats to do so prevents freedom of speech and if candidates for chair cannot access the app then it also prevents fair elections. My CBW app account was closed in May 2022 because I repeatedly pointed out that Right to Manage was possible (when CBWRA were insisting it was not). without any due process or evidence presented. CBWRA claim that they cannot discuss this for legal reasons but there is no legal action in this matter – it is just an excuse not to present any evidence or justification. Another resident was recently told to cease criticism of the CBWRA committee and R and R or that their app account would be closed. This is in my view censorship and bullying. In my case it is politically motivated as I am one of the few people who has stood for Chair and clearly keeping my app account closed makes it impossible for me to compete fairly in	- We have been advised by the solicitors acting on behalf of the RA not to engage with Mike on matters that he has raised in his complaint, including the closure of his app account. It would be reckless of us to ignore that advice. - As stated in Mike's motion above, we made an active choice not to campaign on the app. Mike was therefore not at a disadvantage. - It is factually incorrect to claim that <i>"another resident was recently told to cease criticism of the CBWRA committee and R and R or that their app account would be closed"</i>. The opposite is true: the person was specifically told that we do not want to close his, or anyone's, account. - Our current position is that we do not want the RA to take on the role of moderating the app. However, when we receive a formal complaint from	CBWRA claim that they cannot discuss this for legal reasons but there is no legal action in this matter – it is just an excuse not to present any evidence or justification. Another resident was recently told to cease criticism of the CBWRA committee and R and R or that their app account would be closed. This is in my view censorship and bullying. In my case it is politically motivated as I am one of the few people who has stood for Chair and clearly keeping my app account closed makes it impossible for me to compete fairly in elections I have asked for a copy of the legal advice which supposedly prevents discussion of the closure of my app account which CBWRA have refused to provide. . I suspect it is total

	elections if you are going to give someone a 'life ban' from the CBW app then there should at least be a clear written process as I describe left. No such process exists which essentially means CBWRA committee can close anyone's app account on a wholly subjective basis.	another user we reach out to both parties. The person Mike is referring to was the subject of two complaints within a period of two months or so. At the first complaint, we reached out by email. After the second complaint, Larisa met with the person to discuss why other users might find his posts problematic. The meeting was arranged to avoid the need to escalate the complaint to committee level. Again, we do not want the RA to be put in the position of being judge and jury on people's app use. Subsequent to the meeting, the person in question agreed to moderate their own posts and has, to date, upheld that commitment.	nonsense as there is no legal action by me or CBWRA in relation to the closure of my account because (unfortunately) there is no legislation which is relevant i.e. this is not an area which is regulated CBWRA and trolls continue to try to close down discussion or criticism of the committee. on the CBW app Residents are told they must email the committee and not post about it on the app. (lest there be DISCUSSION - shock horror) Certain app users such as Keith Fryer have been the subject of a number of complaints from residents but apparently have a license to continue attacking other residents for asking simple questions of the committee or simply sharing their experiences of living at CBW
The CBW app advertising slot for estate agents /letting/sales must be put out to competitive tender. It is the view of the proposers that residents are potentially losing thousands of pounds of revenue a year.	Garton-Jones are receiving free and exclusive advertising on the CBW app since 2021. Garton-Jones have stated that they will not help the RTM process if another estate agent is allowed on the CBW app. We should not be coerced in this way and should get full value from the advertising to offset the cost of running the app.	- In our view, Garton Jones is a valued onsite neighbour with an active stake in CBW being well run. They are supportive of RTM and will be key to securing support from overseas and other landlords. - The Garton Jones tile has received negligible 'footfall' since 2021. They recently asked for the tile to be removed and this has now been done.	The fact that the Garton-Jones 'tile' has been taken down is irrelevant – what Garton Jones have demanded (according to the CBWRA treasurer) is that no other estate agent be allowed to advertise on the app and that is what CBWRA are giving them. The value of advertising on the app, to an estate agent which does not

	Garton-Jones will have to support Right to Manage if that is what their clients want and it should not be conditional on free / exclusive advertising on the app.	- There is no basis for the claim that leaseholders are “<i>potentially losing thousands of pounds of revenue a year</i>”. The app advertising sub-committee (currently without a volunteer) found real issues with securing advertisers, as the app design isn’t geared to effective advertising (from an advertiser’s point of view).	have an office on site, is clearly great.
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Each motion has been seconded by another leaseholder.