

Charter of Services

Pisan Public Housing Enterprise

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APES PISA

CHARTER OF SERVICES

In this publication you will find out who we are, what we do, and also how and how long we devote ourselves to fulfil our task the best we can. APES S.c.p.A is an enterprise owned by the Communes of the Province of Pisa that manages and maintains the public housing property of those communes and builds new public housing. APES, as much as possible, provides an important social service aimed at enforcing the right to a suitable house, also for those who cannot directly provide for it. A service that, to match the social needs, would require more resources than those available. We have been working to improve the efficiency and the quality of our activities since the setting up of the enterprise, making the most of the available resources, hoping we will soon be able to count on a new, adequate and certain flow of finance for public housing. The Charter of services is a pact between APES and its users/customers: something like 6.400 recipients, and about 1.000 out of the 2.200 landlords and various employing parties. This pact represents one of the most important elements of the business ethics the enterprise adopts, and expects all its interlocutors adopt, mindful of the the social relevance its activity assumes. The Charter will live at its best in the involvement we want to maintain with the Communes that are members, with the recipient associations and the recipients themselves, whose contribution will help to improve the services, also by means of complaints and suggestions.

The Chairman
Giovanni Ferrari

WHO WE ARE

With respect to public housing (E. R. P.) the Region of Tuscany has reorganized the competences with Law no. 77 dated 03.11.98, regulating both intervention procedures and allotment of competences in that area, providing optimal management levels (L. O. D. E.) of the duties that come under that area, assigning the Communes that fall into the respective optimal domains – in this case, the Communes of the Province - the real property formerly belonging to A. T. E. R. In order to handle at their best the tasks assigned by the law, the Communes involved have constituted the Permanent Conference of the Communes of the Pisan LODE and have chosen an enterprise entirely participated by the Communes, denominated “Pisan Public Housing Enterprise – Association of Local Authorities PLC” (hereafter referred to as APES), started on April 8, 2004 to pursue their duties in association, under the 1st paragraph of article 5 L.R.T. 77/98.

As a consequence, in the Province of Pisa A.T.E.R. was wound up on December 31, 2004, and APES has been in operation since January 1, 2005. Within the planning of LODE, implementing the Service Agreement and in obedience to the Statute and the laws in force, APES performs the following activities:

- administration of real property
- relations with users
- maintenance and reconstruction of the real property administered
- new constructions
- further services and functions concerning non-ERP estates and activities of urban reformation, on behalf of the members and other parties, public or private.

The enterprise has joined Federcasa, a member of Confservizi (Association of Public Utilities Enterprises). Its administrative and managerial organization are quoted here.

Apes s.c.p.a.

Board of directors

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BASIC PRINCIPLES

The basic principles, on which the pact with users is based, founding the business ethics of the enterprise and that directors and managers adopt and intend employees, suppliers and external partners enforce are the following.

EQUALITY, IMPARTIALITY AND CONTINUITY.

In supplying the services we guarantee equality of treatment and conditions, without any discriminations.

We will take all the necessary initiatives and adjust the way of supplying the services to the needs of the disabled and aged users/customers who need special care.

We undertake to guarantee continuity of the services during office hours and minimize any inconvenience caused by reasons beyond our control.

PARTICIPATION.

We guarantee full access to acts and information according to the provisions of the law and the regulations, as well as the participation of the users/customers, also by means of their associations, under the obligation to meet any valid requests or give the reasons for their refusal.

INTELLIGIBLE INFORMATION, RECEPTION AND COURTESY

These are the rules the enterprise and its personnel will adopt while dealing with the users, aware that these rules can sow the seeds of a full use of the services and help the customer/user to mould his opinion on their quality.

EFFICIENCY AND EFFECTIVENESS

We commit ourselves to a continuous improvement in the quality and efficiency of the services (through the UNI ENI ISO 9001:2000 Quality Certification), making the most of the available resources.

HOW TO OBTAIN AN ERP HOUSING:

APPLYING AFTER ANNOUNCEMENT OF COMPETITION

*ERP housing allocation procedure
(Regional Law 96/96)*

Appropriate office: ACCOMODATION OFFICE of the Commune where you reside or work, at the request of the person concerned.

You can compete for the assignment of an ERP housing by applying to the Commune where you reside or work, after the competition has been advised. As a rule, it happens every two years at least, according to the regional regulations.

Extensive information can be asked for at the information points of the Communes, at the URP Office of APES and at Tenant Unions.

The following subjects can apply for an ERP housing:

- Italian citizens
- Citizens from countries adhering to the European Union
- Non-European citizens holding a stay card or a stay permit, at least biennial, carrying out an activity of subordinate work or self employment.

The applicant, on the date of the announcement of the competition, must be in possession of the following requirements:

- The applicant must reside or work in the Commune or Communes indicated in the announcement of competition.

- The applicant must not be entitled to property, usufruct, use or habitation of a housing fit for the needs of the family in the Commune subject to the competition or in neighbouring Communes, or of any other housing in any place whose cadastral estimated income exceeds a fixed amount;
- the applicant must not have made use of previous allocation as a freeholder or with an agreement of future sale of a housing built with public subsidies, no matter how they were granted;
- the “conventional” yearly income of the family of the applicant, calculated by the last income tax returns of all the components of the family, must not exceed the limit in force on the date of the announcement of the competition.

The Commune will assign new or residual accommodation on the basis of a housing list drawn up by the Allocation Commission, as provided for by the regional law 96/96, taking into account the order of the list and the size of the family, save for the allocations reserved by law for the elderly and for young couples.

REASONS FOR LEAVING AN ERP ACCOMODATION:
ALLOCATION LAPSE
RECIPIENT'S WITHDRAWING
PURCHASE OF THE ACCOMODATION

*ERP accommodation allocation lapse procedure
(Regional law 96/96)*

Appropriate office: ACCOMODATION OFFICE

After an appropriate verification, also after notification from APES, the Commune can decide that the allocation has lapsed if, during the tenancy, the family recipient of a ERP housing loses the eligibility requirements to keep having the use of a public housing.
(Art. 35, Regional Law 96/96)

These are the cases:

- Subletting all or part of the housing;
- Not living permanently in the housing or changing its destination;
- Illegal use of the housing;
- Loss of allocation rights on income condition, save for what provided for by article 36, Regional Law 96/96;
- Renunciation of the assigned housing without well-founded reasons;
- Non permanent occupancy of the assigned housing within 30 days from delivery (60 days in case of workers emigrated abroad), save for a respite the Commune might grant following a justified request.

The Commune can decide that the allocation has lapsed also in case of :

1. Exceeding the income limit provided for by the current regulations, after considering the subjective condition of the family, the state of the housing in the territory and upon debate with tenant unions, in case the conventional income of the family has, for two years in a row, exceeded the income provided for by the law (the allocation limit increased by 70%). Art. 5 of User Regulations and art. 36 of Regional Law 96/96.
2. Non production of income documentation requested by APES - Art. 5 of User Regulations and art. 28 of Regional Law 96/96
3. Over 2 months default in payment of rent and additional expenses for services - Art. 30 of Regional Law 96/96

The allocation lapse procedure can be summarized as follows:

- The Commune sends the recipient a registered letter with recorded delivery in which the infringement is charged, allowing the recipient no more than 15 days to produce documents and written deductions;
- The Commune, after hearing the Allocation Commission, can decide that the allocation has lapsed or can declare that, in the light of the counter-deductions of the recipient, reasons to let the allocation lapse do not exist.

The lapse implies the rescission of contract as of right, and the immediate vacation of the housing. The Commune can, however, grant a period of time for the vacation of the housing, but not over three months. The ordinance of the Commune has an executive claim.

Following the ordinance, APES imposes an occupation indemnity instead of the social rent, equal to the maximum rent (objective rent) till the date of effective vacation of the housing.

The recipient will be informed in advance of the increased bill, by an appropriate notice from APES. The file will be attended by the Accommodation Office (Ufficio Casa) of the Commune or by the U.R.P. of APES.

In case of withdrawal, the recipient must inform APES at least one month before leaving the housing, so as to let a technician of the corporation inspect the housing

to check its conditions. In case the housing should need works due to mismanagement and not to age, APES will first confiscate the caution money and then will charge the recipient for the rehabilitation. In case of death of the recipient there is exemption from advance notice; in this case members of the family or other heirs must realize a communication in due time.

Since not every public housing accommodation can be sold, the recipient can purchase his housing only if it is part of the sales plan authorized by the Tuscan Region and if has been inserted in a transfer programme prepared by the Communes of the pisan Lode.

This programme is aimed at reinvesting in new council housing and extraordinary repairs the resources coming from the sales, so as to improve the real estate.

HOW TO RUN AN ERP HOUSING

The pact between the User and the Managing Enterprise is based on a correct conduct of the ERP housing (both on the part of APES and the User/Recipient).

The pact implies a series of rights and obligations of the recipient that, by this Charter of Services, APES commits itself to guarantee and enforce.

The conduct rules are regulated by the User Regulation, as per Regional Resolution n. 608 dated 15.06.98; the Regulation is recalled in the lease and handed to the recipient when drawing up the lease.

OBLIGATIONS OF THE RECIPIENT

All the recipients must respect and enforce the User Regulation, therefore they must:

- Abide by the laws, the lease, the User Regulation and any other administrative disposition, under penalty of enforcement of financial penalties as per Article 37 Regional Law n. 96/96 and, in the most severe cases, the rescission of the lease and, consequently, allocation lapse;
- Pay the rent regularly, keeping to the procedures and meeting the deadlines stated by the Managing Enterprise;
- Pay the due condominal expenses;
- Live steadily in the allocated housing. The family must be living in the allocated housing within 30 day from delivery, and dwell steadily in it. In case the recipient should renounce the allocated housing without a valid justification, the allocation will lapse. In case the recipient should leave home and stay away for more than 3 months, he must inform APES explaining the reasons of such absence. In that period, accommodating other people in the housing is not allowed;

- Not sublet or cede all or part of the allocated housing, under penalty of lapse of allotment;
- Inform APES about any family variation. To accommodate other people in his/her housing, for care or serious family reasons, the recipient must ask the Managing Enterprise for authorization.
- Not destine the housing and its appurtenances (cellar, garage etc.) for a use which is illicit or different from its destination. Using the housing for different purposes not only disturbs other residents of the building, but will result in the lapse of the allotment;
- Maintain with care the allotted housing. Recipients must use the housing and its appurtenances with care and diligence, taking all the necessary works on himself/herself, as drawn up in detail on Title III of User Regulation. Any repairs resulting from recipient's neglect will be charged to the recipient, just as any damages caused by non reporting to APES the repairs and replacements falling within its competence;
- Keep pets and/or things so that they do not disturb or damage the housing or other people and, in any case, do not endanger hygiene or public health;
- Not practice trades or professions which – although not infringing the ban on changing the destination of use – might prove dangerous or annoying to other recipients or third parties;
- Collaborate with APES to enforce the respect of the User Regulation in the building where you live, to guarantee the respect and the decorum of the building and its common parts as well as the safety of the housing;
- Ask the Managing Enterprise for the authorization to carry out works other than maintenance at its expenses, or that however imply structural modifications or variations in the original state of the housing. Possible improvements made by the recipient, authorized by APES, do not entitle to any indemnity;
- Respect the User Regulation and, where in force, the Self-management or Condominium Regulations. Recipients are particularly bound to observe the rules of good-neighbourliness with other recipients and with the inhabitants of nearby buildings. In case APES should pay for services (water or electricity bill etc.) the recipient will be liable for it with the same procedures as in case of default on rent payment.

RIGHTS OF THE RECIPIENT

The recipient of an ERP housing has the right to:

- Have a rent proportionate to the income of the family, as per current legislation. In case the recipient should sustain a decrease of family income, he/she can ask for a corresponding decrease of the rent;
- Accommodate people other than family members. Upon authorization by APES, the recipient can accommodate non family members in the housing for two years, renewable for two more years. In case the accommodation should extend over that deadline, the recipient will have to pay the Managing Enterprise an indemnity equivalent to 25% of the rent. The accommodation neither imply inclusion in the family nor generates the right to take the place of the recipient;
- Alter the number of the members of the family. In case the recipient should die or move, the entitled cohabiter will be able to take over the allocation according to the current regulations;
- Change housing if the allotted one is no longer fit for the family. In order to avoid underuse or congestion of the housings, the Communes draw up a mobility programme; recipients who need to change the housing can make use of the programme, for health reasons or if they need to move nearer their work place;
- Be protected, if a disabled, when allocating the housings and deciding the rent. In the new buildings there are housings fit for the disabled, and adaptation works are encouraged;
- See all the documents prepared by APES concerning him/her.
- Be sure that his/her personal information is processed in full observance of the privacy regulations (DL n. 196/2003); all the necessary safety precautions must be ensured so that no violation can be realized by third parties;
- Make use of assistance and receive information regarding contract, rent, family enlargement, taking over, mobility, sales etc.;
- Receive the yearly account rendering of the refund services directly administered by APES;
- Take advantage of technical assistance from APES for the maintenance of the housing and the common parts, under Title III of Regional User Regulation;

- Decide the management of the common parts. The law provides self-management of services and common parts from the recipients of ERP housings. The recipients on lease in housings included in buildings with a condominium administration have the right to vote, in lieu of the Managing Enterprise, on resolutions concerning expenses and procedures of service management, heating included;
- Obtain information on the management of common parts (self-management and condominium) and relating regulations;
- Access, by a personal code, a reserved area of the APES Scpa internet site to check their position. Data regarding contract, payments made, personal details, income, maintenance of the housing and building will be accessible. Data are updated daily;
- Purchase the housing in observance of the current regulations, if included in the sales programme authorized by the Region and according to the programme decided by the pisan LODE

INSTRUMENTS TO IMPLEMENT THE PRINCIPLES OF THE CHARTER OF SERVICES

APES has adopted an ISO 9001:2000 quality system for the services directed to recipients, that are listed below. For each procedure the User/Recipient must fill in predetermined forms. Updated procedures and forms are available on the APES site www.apespisa.it, at the URP of the enterprise, of the Communes that are members and at Tenants Unions.

To check user satisfaction APES has drawn up, within the Quality System, a complaint procedure.

COMPLAINT

The Enterprise will consider any **Notification, written and non anonymous**, that the Customer will transmit (the Enterprise guarantees reserve on the notification, and will process the information only to improve the company management system).

Only the notifications revealing real inefficiencies or violations to the Charter of Services or to the APES Quality System Procedures constitute a complaint.

In that case APES is committed to **answer the person concerned** in the shortest possible time, in any case **within thirty (30) working days**, communicating in writing the reasons of the protraction in case the problem noticed were so complex to require assemblage of opinions and/or information from third parties.

The notifications can be filed also with the help of Trade Unions, and must be sent to:

APES Scpa
Via Enrico Fermi, 4
56126 Pisa

e-mail: apespisa@apespisa.it

URP

APES has a **public relations department (URP)**, an office providing services by telephone or personally, guidance and assistance on many of the most frequent requests, in conformity with the Quality System Procedures of the company.

APES includes in its strategic goals a correct, prompt and effective information, and the organization of **an information campaign on the use of housings and services**.

This is made also to make known the APES Quality System procedures for the supplying of services, as described in this Charter of Services.

Information will be spread by publishing directions on rent bills, local newspapers, internet site or periodicals to be home delivered.

APES – PISA – General office
Via Fermi, 4 - 56126 Pisa
President's office – Headquarters

Administration:

Property management; URP; General Issues/Legal Office;
Accounting and personnel department; Secretary's office; Maintenance; New constructions

APES scpa office hours

Via Fermi, 4

Monday - Wednesday - Friday from 10:00 to 12:30

Tuesday evening from 15:30 to 17:00

CLOSED ON SATURDAYS

Telephone (PBX): 050 505711

Fax: 050 45040

E-mail: Apespisa@ApesPisa.it

Web site: www.ApesPisa.it

Freephone for prompt intervention and maintenance: 800-760-303

STIPULATION OF LEASE AND CONSIGNMENT OF KEYS TO NEW RECIPIENTS

Appropriate office: user's register office

Procedure opening: ex officio from the Enterprise, after receiving the act of allocation of the housing from the town council.

Necessary documents: the forms prepared by APES are available to users.

Procedure description: after a cross-inspection of the housing with a technician of APES to make a written record of its state, the recipient is summoned by registered letter for the stipulation of the lease and the consignment of the keys of the housing.

The following month a paying-in slip is sent, specifying the cost of rent, caution money (equal to two month's rent), contract costs and registration charges.

Procedure termination: within 60 days from the availability of a housing.

Notes and comments: if a housing is delivered within the first ten days of the month, the recipient must pay also the rent for the current month, otherwise the recipient must start paying the rent from the following month. The recipient must pay also caution money equal to two month's rent, which is charged for with the first rent bill. The enterprise informs the police, the President of self-management and the administrator of the condominium of the delivery of the housing.

TEMPORARY HOSPITALITY IN THE HOUSING
APPROPRIATE OFFICE: USER'S REGISTER OFFICE

Procedure opening: the recipient must file an application for temporary hospitality to APES, stating reasons and duration.

Necessary documents: the forms prepared by APES are available to users.

Procedure description: the recipient fills in the appropriate form and files the application to the office. The recipient is properly noticed that hospitality for 2 years is acknowledged; this term can be extended for two more years in case the reasons motivating the acknowledgement should persist. In case hospitality should extend over the deadline, the recipient will be obliged to pay APES an indemnity equal to 25% of the rent.

Procedure termination: within 30 days from opening the dossier.

Notes and comments: the guest does not obtain the title of recipient, nor any right to replace the recipient in case of death or move.

FAMILY EXTENSION

Appropriate office: user's register office

Procedure opening: the recipient must inform APES of any variation in his/her family, specifying the reasons.

Necessary documents: the forms prepared by APES are available to users.

Procedure description: APES acknowledges the family variation, as long as it is not intended to obtain an undue benefit, and informs the recipient as well as the Register Office of the Commune, revaluing the rent according to the new income capacity of the altered family.

Procedure termination: within 60 days from recipient's application.

Notes and comments: any family extension must be noticed APES in due time, because it enables to take over the allocation according to the procedures of art. 18 - Regional Law 96/96, and because it determines the implementation of a new rent.

ALLOCATION TAKEN OVER BY A DIFFERENT MEMBER OF THE FAMILY

Appropriate office: user's register office

Procedure opening: at the instance of the recipient with title to take over.

Necessary documents: the forms prepared by APES are available to users. Notably, self-certification attesting the historic-anagraphical position of the applicant on the date of his/her appeal for taking over must be produced, so as to verify since when the person concerned has been living in the council house.

Procedure description: taking over the allocation is permitted in the cases provided for by article 18 – Regional Law 96/96:

- Death of the recipient;
- Separation or divorce, according to the directions of the judgment;
- Definitive abandonment of the housing from the recipient.

APES ascertains the existence of the title of the applicant to take over, the non existence of impedimental conditions to stay in the housing, the absence of default, and informs the person concerned.

Procedure termination: within 30 days from conclusion of inquest and start of lease stipulation procedure.

CHANGING THE HOUSING

Appropriate office: user's register office

Procedure opening: apply to the Commune where you dwell on the occasion of the announcement of competition organized by the Commune itself.

Necessary documents: the forms will be available at the Commune where you dwell when the competition is announced.

Procedure description: the Commune places residual housings and a percentage of new housings at disposal, to favour a mobility programme. The Commune examines the applications filed on the occasion of the announcement of competition and, after hearing the opinion of the Mobility Commission, draws up a list on the basis of which the changes are carried out, according to the priorities provided for by the law. APES cooperates with the Commune providing information concerning the housing position of the applicant.

Notes and comments: also consensual changes are allowed, properly grounded; applications must be filed to the Commune by both the applicants, equipped with the necessary documents. Also in this case, before allowing the change the requirements of the recipient to stay in an ERP housing will be ascertained.

MONTHLY BILL TERMS OF PAYMENT

Appropriate office: Rent Accounting

Procedure opening: every month APES sends the recipients the bills to their address.

Necessary documents: to pay the rent you must be in possession of the bill. If undelivered or lost, you can ask the Rent Accounting office for a copy.

Procedure description: the bill can be paid at the Post Office or by domiciliation, in a bank or at the Post Office. Please pay attention to the deadline because any payment made 20 days after the deadline date implies the payment of a penalty equal to 15% of the due amount.

Procedure termination: the bills are elaborated within the 10th day of every month, and consequently sent.

Notes and comments: to help information, on the bill, in appropriate spaces, useful messages and communications are often inserted. The recipient should always read carefully the content of the bill.

CAUTION MONEY PAYBACK

Appropriate office: Rent Accounting

Procedure opening: at recipient's request

Procedure description: the recipient who has paid caution money when stipulating the lease can, if conditions for payback emerge, file APES a written application on unstamped paper. In the application the recipient must specify: name, surname and address where any communication will be sent. The payback is contingent on the good maintenance conditions of the housing the recipient is leaving. A technician of the Enterprise will verify and certify its state. In case APES should make rehabilitation works, whitewashing included, caution money will be used to cover the cost of such works, partially or completely. Should caution money not suffice, the recipient will be demanded to pay the difference between caution money and the cost of the works made.

Procedure termination: within 60 days from recipient's application.

Notes and comments: we emphasize that, according to the second paragraph of article 25 of User Regulation, "(caution money), equal to two month's rent of the first rate, cannot be updated in concordance with the variation of the rent, and does not yield interest."

PERIODIC ASSESSMENT OF RECIPIENT'S FAMILY INCOME

Appropriate office: user's register office

Procedure opening: In order to update the rents, APES requests from the recipients, in odd-numbered years, personal and income data of all the members of the family in the housing allocated, through self-certification, as provided for by the law (article 28 – Regional Law 96/96).

Necessary documents: the forms prepared by APES are sent to the recipients.

Procedure description: the user must deliver the certificates meeting the deadline; if sent by post, a copy of the identity papers will be enclosed. Any income of all the members of the family and cohabitants, "guests" excepted, must be specified. It is also necessary to certify properly the position of members of the family who study or do not draw a salary. The recipient must communicate any anagraphical variation of his/her family. Not filing the required documents will result in the enforcement of a sanctionative covenanted rent, twice the amount of the objective rent, in addition to the financial penalty provided for by the current regulations. As per article 33 - Regional Law 96/96, the procedure therein prescribed (cancellation of the allocation) is also imposed.

The new rent will go into effect from the year following that of the request of documents. If non filing is due to a serious and justified cause, the social rent will be recalculated, starting from the 1st of January of the year of application.

APES will check and verify the self-certification produced.

Procedure termination: the 1st of January of the year following the one in which the assessment has been carried out.

RENT REVISION APPLICATION

Appropriate office: user's register office

Procedure opening: at recipient's instance, in case the family income suffers a decline in the year not subject to biennial assessment.

Necessary documents: the forms prepared by APES are available to users.

Procedure description: the office examines the application, updates income and personal data, recalculates the rent on the basis of the new income of the family and changes the rent bill.

Procedure termination: within 60 days from recipient's application.

DEFAULT

Appropriate office: rent accounting department

Procedure opening: ex officio, after noticing non payment.

Procedure description: default in rent and additional expenses payment exceeding two months will result in rescission of contract and consequent lapse of allocation, as provided for by article 30 – Regional Law 96/96. Moreover, non payment of the rent implies, after twenty days from the deadline of the payment terms, the payment of a penalty equal to 15% of the sums due. APES periodically fines any default, giving sufficient time to settle the balance, and allowing also instalment payment of the debt. In case the default should not be reimbursed, APES would take measures to recover the credit, also making use of SEPI, going as far as to evict and/or demand the allocation lapse, which is declared by the Commune that owns the housing. Noticeably, not always default causes allocation lapse. In case default should be caused by unemployment or serious illness, as ascertained by APES, the aforesaid procedure would not be expedited. Regional Law 96/96, in particular, states that in this case APES will recover the credit but also request the intervention of the local government unit in charge of public welfare. The recipients who, as described, are in a state of poverty must apply to welfare services of the USL (local health corporation) and of the Commune involved, to certify their indigence.

Procedure termination: the procedure ends when the rents have been paid (settlement of default).

CONSTITUTING THE CONDOMINIUM

Appropriate office: Condominium Office

Definition: the condominium is a de iure and de facto situation that comes true when there are several housing owners in a building. Practically speaking, the condominium begins when APES starts selling the housings of the building. In the buildings sold entirely or for the most part, a condominium administration is compulsory. The Civil Code states that it is necessary to appoint an administrator if the owners are more than four, and to formalize a specific Condominium Regulation if the owners are more than ten.

Procedure description: under article 32 – Regional Law 96/96, in the buildings sold completely or in part, the administration is handled in a condominium form. The condominium is constituted at the instance of the owners or ex officio (on the occasion of the sales). If APES owns a minority of the housings of the building, the other owners can organize the first condominium meeting for the formal establishment and the appointment of the administrator. The main tasks of the administrator are: draw up an annual report and an expense budget of the accounting periods to come. The administrator is also responsible for the appropriate management of the common spaces and services of the building. It should be noted that, under Regional Law 96/96, the condominium expenses must be paid to the condominium administrator, who can sue defaulting recipients to recover credits.

Procedure termination: within 60 days from owners' request.

SETTING UP THE SELF-MANAGEMENT

Appropriate office: Self-management Office

Definition: recipients' self-management, regularly constituted, is a legal person - autonomous with respect to APES - that manages direct costs and other costs corresponding to charges for administration, accessorial services, common spaces and minor repairs. The recipients are under obligation to manage the common facilities (staircase lighting, common systems, maintenance of common spaces) entering into maintenance and supply contracts, sharing expenses.

Procedure description: recipients of a building (a third at least) can request to set up self-management. Self-management is regulated by a standard Regulation, approved by Regional Council. To promote self-management, Regional Law 96/96 provides that APES credits a sum for current maintenance calculated on the number of living units. If recipients or self-management do not ensure essential services or do not maintain the common spaces, causing serious sanitary troubles, APES will automatically intervene, then allocating the costs to the tenants of the building concerned. The recipients cannot escape from the payment of the relative expenses, not even waiving their rights on systems, services or common parts. Non payment of the sum due represents a breach of contract and can be sanctioned according to the law (articles n. 18 and n. 19 of User Regulation). Noticeably, by Regional Law 45/98, a social fund of a small order of magnitude has been set up, committed to cover - totally or in part - the payments due for condominiumal services from recipients in a state of poverty. The fund can be activated at the request of the person concerned, subject to Town Council's approval.

Procedure termination: within 60 days from recipients' request.

PAYBACK SERVICES

Payback services are another method of managing the real estate by which APES operates a direct management of the services (i.e. staircase lighting, lift maintenance, central heating, water etc.).

Procedure description: APES pays the invoices for the common services managed and charges monthly a part payment to the recipients; produces an annual account rendering of the expenses, and with the last bill of the year claims the balance between the part payments paid monthly and the expenses actually paid by APES. For this service APES charges a fee when producing the final report.

Procedure termination: the procedure finishes when the annual report, within 60 days from its writing up, is transmitted.

SALE

Appropriate office: Sales office

Saleable housings: not every ERP housing can be sold. In fact, to be allowed to file a purchase application the recipient must have a lease on a housing falling into the sales programme authorized by Tuscan Region and included in the programmes decided by the pisan LODE.

Persons with title to purchase and requirements: recipients and their cohabiting members of the family, provided that they have had the lease for more than five years and are not in arrears with their rent and other expenses. Furthermore, they must have all the requirements enabling the preservation of the title of recipient (residence, not having a possessory title of other housings etc.). In case of purchase from a cohabiting member of the family, the recipient retains the right to the housing.

Necessary documents: the forms prepared by APES are available to users.

Procedure description: LODE locates every year a certain number of housings to be sold. The sale occurs gradually, considering reinvestment opportunities and renewal of the property. Sale procedures are provided for by Law 560/93 and resolution n. 38/2006 of Regional Council. APES notifies of the base price - based on the cadastral value and other discounts provided for by regulations – checks the requirements of the recipient, prepares the technical documents and transmits the papers to the notary for the stipulation of the deed. The payment can be made in a single payment or by instalments. The housing purchased cannot be sold before ten years from the date of contract record, and its destination of use cannot be modified. After 10 years the housing can be sold, saving the right of pre-emption from APES. This right can be extinguished by paying a sum equal to 10% of the cadastral value of the housing.

Procedure termination: within 60 days from positive conclusion of the technical and administrative inquest.

MAINTENANCE REQUESTS

Current maintenance in the single housings and prompt intervention (masonry, flooring, shutters and frames)

Appropriate office: Current Maintenance

Definition: current maintenance includes any intervention that must be carried out to keep the housings and the building in excellent condition, and those that are needed to integrate and service the existing systems.

The user must keep the housing with care, personally attending maintenance as indicated in articles n. 10-11 of User Regulation.

Procedure: interventions chargeable to the Managing Enterprise, provided for by User Regulation, are carried out through written application or verbal or telephone request from the recipient (or someone acting on his/her behalf) to Maintenance Office or URP. The application must contain: user's code, description of the works to be carried out, location of the housing, recipient's telephone number, hours in which an inspection of the housing can be carried out. An APES technician, or a worker from a firm instructed by the Enterprise, will carry out an inspection, by appointment, within 3 working days (or within 24 hours in an emergency) to verify the extent of the works to be carried out; the technician, or the worker, will then order or carry out the necessary works. In cases considered minor, the inspection will be carried out within 30 days.

Notes and comments: under User Regulation, the works could be chargeable to the Enterprise or to the recipient, totally or in part. With respect to possible system failures, the recipient must inform the Maintenance Office in due time, since the user can be held responsible for any damage caused by non-compliance. The recipient is bound to do everything he can to limit the damage while waiting for repair.

Under current Regulation, the recipient must not be in default; in this case the maintenance works will not be carried out, except for restoration of safety conditions, also disconnecting the systems involved or blocking off dangerous parts in order to avoid damage to people or adjacent housings.

MAINTENANCE REQUESTS

Maintenance of heating systems in the single housings

Appropriate office: Current Maintenance

Maintenance of the independent boiler, used for heating and producing hot water, and **preservation** of its perfect working order are sitting tenant's responsibility, as provided for by article n. 11 – D.P.R. 412/93.

The user is under obligation to enter into a contract of maintenance service of the system with a firm he/she can trust. When the boiler is no longer repairable, the recipient must file a written application for replacement addressed to APES Maintenance Office, specifying user's code, location of the housing, recipient's telephone number, hours in which an inspection of the housing can be carried out, and a certificate of the firm responsible for system maintenance attesting its irreparability. Through a trustworthy firm APES will ascertain the actual state of the system and, if necessary, replace the boiler, in times and with procedures that will be notified to the recipient. Besides, to obtain the replacement of the boiler from the Enterprise (for wearing) the recipient must prove he has maintained the system and carried out the periodical visitations provided for by the law, producing the concerning documentation.

MAINTENANCE REQUESTS

Requests for current maintenance of the common parts of the building outside the single housings (stairs, lifts, central systems, electric systems etc.)

Current maintenance of the common parts, inside and outside, **is completely charged to the recipients (and owners) of all the housings of the building. Any single recipient holds a direct responsibility.**

Following a specific mandate from all the recipients and/or owners of the building, current maintenance of the common parts could be carried out by APES, against payment.

The following interventions particularly constitute current maintenance of the common parts :

1. Central heating and/or hot water production:
 - boiler, chimney, and fuel deposit cleaning;
 - maintenance and possible replacement of single parts of boiler, burner and other elements, as provided for by User Regulation;
 - costs for assignment of “third responsible” and periodic controls by law, with regard to current maintenance necessary to system operation.
2. Water supply system and sewage draining:
 - maintenance of autoclave pumps and respective accessories for water supply or sewage draining;
 - periodic cleaning of settling tanks, repair of equipment for water system operation and shutting;
 - inspection, emptying and cleaning of septic tanks, sewers, stench-traps for black and grey water and possible replacement of drain covers etc.
3. Sewage draining system:
 - waste stack clearing in common lengths.
4. Lift:
 - repair of mechanic and electric parts and replacements of elements subject to wear and accessories like lock slides, button panel lights etc;

- running costs and fee for programmed inspections and periodical maintenance, costs for inspection from bodies in charge of biennial controls
5. Central TV system:
- maintenance of entire system, with possible replacement of single parts (aerial, amplifier, control unit, cables etc.)
6. Electric lighting system:
- reactivation and replacement of common control equipment such as timers, twilight automatic lights and the like;
 - reactivation of lighting equipment in common parts and replacement of respective accessories such as lamps, ceiling fittings and the like, switches, wires etc;
 - maintenance of entryphone system and remote-controlled door opener, replacement of door-bell button panel, bulbs etc;
 - repair of equipment and control unit of automatic gates.
7. Other interventions on common parts:
- repair of glass windows, shutters and frames, varnishing, lock replacement, door closers etc.
 - varnishing and painting of internal common parts, including minor plastering touch-ups etc;
 - repair and varnishing of internal and external banisters;
 - complete maintenance of green spaces pertinent to the building, including grass cutting, pruning etc.

In formally constituted Condominiums or Self-management, the recipient must apply to the administrator or to the person in charge of self-management, who will directly charge the persons concerned for the costs.

Notes and comments: any replacements of parts of systems and other, whose failure is not due to fair wear, are to be considered extraordinary repairs.

MAINTENANCE REQUESTS

Requests for extraordinary repairs of the common parts of the buildings

Appropriate office: Service Division Director

Extraordinary repairs include any intervention aimed at modifying or replacing parts - even structural - of the buildings, as well as implementing and integrating sanitary facilities and technological systems; include also the modification of buildings and common parts through a systematic series of actions that, though respecting the typological, formal and structural elements of the buildings and common parts, allow compatible destinations of use.

Procedure: APES receives verbal, telephone or written application - reporting interventions at issue - from a recipient (or someone acting on his/her behalf), from the person in charge of Self-management or from the Commune. APES can carry out inspections ex officio. After considering all applications, the office prepares a programme of interventions. The programmed intervention can be carried out only after LODE has approved it, and all the economic resources have been found.

Notes and comments: in Condominiums, a resolution on the works to be carried out must be approved by a majority vote; then the works will be directly carried out. Extraordinary and scheduled repair works will be charged to owners proportionally to their thousandths of ownership, while APES will contribute paying the fee due to the Commune for its recipients.