

The TMO Magazine

COMMUNITY CONTROL GETS BALLOT BOOST



At 4pm precisely on September 30th the Beechwood Social Club in Birkenhead resounded to a cheer they might have heard halfway down the Mersey. A Wirral Council official had just announced the result of the ballot on a proposed transfer to Beechwood and Ballantyne Community Housing Association (BBCHA). The ballot may be worthy of some extra cheers from around the country – because of the circumstances and wider significance of the ballot.

Unusually, the vote gave tenants a straight choice between transfer to a community-controlled organisation or to a larger scale landlord. Both were promising similar estate improvements and there was no difference in the projected rents. Yet, by a factor of three to one, the tenants chose BBCHA rather than Wirral Partnership Homes (the council's own stock transfer registered social landlord). That is surely an important signal to a housing world that increasingly assumes that big is beautiful and that tenants are individual consumers no

longer interested in community.

The transfer, which is due to take place in January, is also interesting because it will be a rare example of a TMO taking ownership of its own estate. The achievement of Beechwood and Ballantyne EMB was against a background of Council opposition to the estate transfer. Six months earlier Wirral tenants had voted in favour of a large scale transfer of the entire council stock and the council had only reluctantly agreed to give the EMB tenants a second option in the September vote.

BBCHA will be part of the Liverpool Housing Trust Group but will be a registered social landlord, will own the housing and will employ its own staff.

The Beechwood story is one of several case studies in the NFTMO publication 'Stock Options-Guidance and Good Practice' which is available free from the Federation or can be viewed on the NFTMO website at www.tmonatfed.com.

AWARD FOR TMOs WHO STAY IN TOUCH WITH THEIR TENANTS



The NFTMO and HouseMark are to jointly sponsor an award for achievement by Tenant Management Organisations in the field of communications and consultation with their tenants and members.

As organisations whose membership and committees are made up of tenants and leaseholders it might be assumed that TMOs are automatically in touch with the views and aspiration of the residents of homes we manage. In fact TMOs, like other housing organisations, must work hard to keep those people informed and involved.

Keeping up levels of participation, involving young people and overcoming apathy are high on the 'must do' list of many TMOs. Public meetings may be less popular than once they were while leaflets, it is feared, often end in the bin.

The TMO In-touch Award will identify and highlight good practice that can inspire and inform in this difficult area of TMO operations. Entries may be one-off projects or long-term systems. They are likely to be innovative but must have been successful in informing and/or involving TMO members, tenants and leaseholders.

If your TMO would like to enter then please contact the NFTMO on 01704 227053 or at admin@tmonatfed.com for details. Entries will need to be in by the end of March and presentations will take place at the NFTMO / CCH Conference on May 6th. The NFTMO is also looking for examples of good practice to include in the new In-touch Toolkit currently in development (see centre pages).



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THE BIG SQUEEZE ON TMOs!

With the appearance of Option Appraisals, increasing numbers of Arms Length Management Organisations and RSL's, Tom Hopkins of First Call Housing Consultants asks 'Is the development of Tenant Management a thing of the past?'

For over a generation, Tenant Management Organisations have provided the catalyst for estate and community regeneration for deprived areas throughout England and Scotland.

The Housing Co-Operative movement and the values it demonstrates has offered opportunities for working class people to become actively and positively involved in improving the quality of life for thousands of council tenants and other residents who live in areas managed by TMO's.

In fact the TMO movement has been independently examined by the Government over the recent years who confirm the value benefit and cost effectiveness of TMO's when compared to their social landlord peers.

So what's the problem?

The last couple of years have seen fewer council tenants looking to set up Tenant Management Organisations. Coupled with a lack of growth and support for TMO's in the RSL sector, are we beginning to see the marginalization of the TMO

sector in the social housing field?

Government is inviting social housing tenants to become more and more involved in landlord strategy, through the Option Appraisal process and Best Value. The move to create ALMO's and new RSL's has seen demands from existing and new landlords to consult and involve tenants in their decision making process.

Consequently, those tenants who are interested in offering their time, commitment and energy to improve housing and environmental conditions have stopped looking to tenant management to solve local concerns. However is this diversion short lived? What happens after 2010 and Decent Homes targets have been met...or not met? What will happen to tenant management after the next General Election?

What can the tenant management movement do to protect its interests?

The road to tenant management is a potentially long and arduous. The Government is currently examining ways in which the Right To Manage can be streamlined. This should be encouraged for the tenants' benefit, without removal of the legal rights of tenants to manage the own homes. In fact these rights should be extended to RSL tenants.

Although hard and long to set up, tenant management can be rewarding for individuals



and communities in the long term. The NFTMO and other interested groups should lobby Government to ensure communities continue to have opportunities to set up tenant management organizations. More resources should be directed to the promotion of these opportunities for all social housing tenants whilst making the process quicker.

Finally the NFTMO needs to continue its recent development and growth as a responsible and authoritative organization promoting, supporting and developing opportunities for one of housing success stories of the past thirty years.

Tom Hopkins is Regional Development Director F.I.R.S.T. CALL (Housing Consultants Ltd)

DROP IN TMO DEVELOPMENT SAYS SURVEY

Most Section 16 Agencies report a fall in their work with tenants groups who want to set up a TMO. Even so, over fifty groups are currently working towards establishing a TMO, all but one of those being in the council sector.

This picture emerges from an NFTMO survey of agencies approved by the ODPM to work with groups who exercise their Right to Manage. Agencies who responded to the survey were SNU, PPCR, Tides, First Call, AfCE, BCHS, Partners in Change and PEP. Five of those agencies say their TMO work is falling while three feel it is staying about the same.

The survey suggests that London continues to be the most fertile area for TMOs. About two-thirds of the nation's established TMOs are in London and it looks like that balance is reflected in the new ones that are coming through.

The survey confirmed the picture that TMOs are simply not developing in the Housing Association sector – only one potential TMO was identified in the survey.

When asked about the co-operation received from local authorities the agencies reported mixed



Two-thirds of the nation's TMOs are in London

fortunes. Two agencies said that councils were less supportive of TMOs because they are believed to be in conflict with ALMOs and stock transfer.

Some tenants groups start down the Right to Manage route but then decide not to go ahead with forming a TMO. Apart from problems within the organisation, the main reasons that groups have given up appear to have been council

opposition and the length of the Right to Manage process itself.

An up to date list of Approved Section 16 Agencies can be obtained from Julian Matthews at the Office of the Deputy Prime Minister, Tenant Services Branch. Phone 020 7944 3488 or E-mail: Julian.Matthews@odpm.gsi.gov.uk

AROUND THE NORTH WEST



TMOs in the North met recently in Manchester

The North West of England has traditionally been one of the country's centres of community control. In the 1970s Merseyside was a hub of the housing co-op world and Rochdale, of course, is regarded as the birthplace of the co-operative movement.

The region still has one of the biggest concentrations of TMOs outside of London although stock transfer has changed the housing landscape in recent years. For example, Liverpool City Council now has only two active TMOs – the Rock EMB and Hector EMB both managing about 90 homes. Elsewhere in the City the Power and Childwall Valley TMOs are managing ex-council housing now owned by housing associations. Liverpool Council has just announced the proposed transfer of its remaining 16,000 homes with indications that transfers to tenant led organisations are on the agenda. For a good example of tenant led transfer they need only drive through the Wallasey Tunnel to the Beechwood and Ballantyne estate in Birkenhead (see front page).

Along the M62 Manchester City Council has never been a big fan of tenant management. Well done, then, to SHOUT TMO who 'went live' on November 22nd this year to become the only TMO managing Manchester council housing. Areas of the council's stock selected for transfer include the Bentley House TMO in Hulme. Currently in development the group are working hard to make sure that community control is part of the post-transfer deal. The Crosslee TMO in north Manchester are also working in the

development phase of Right to Manage and tenants are working with the City Council and their proposals for the creation of an Arms Length Management Organisation (ALMO).

In Salford, three established TMOs have endured an unsettling period with a failed ALMO and the Council is now looking at other stock options with transfer a real possibility. In Oldham the Holts and Sholver TMOs are working through their new relationship with the ALMO – First Choice Homes.

Springs Tenant Management Co-op in Bury is actively working towards a community based stock transfer. An Options Appraisal revealed strong support from their tenants and goodwill from the Council.

Long standing (pre Right to Manage) Estate Management Boards in West Lancashire and Rossendale are also negotiating their future within whole stock transfers planned by their councils.

Our last, but not least, port of call is Preston. Here council tenants were voting in November on a proposal to transfer their homes to a newly established 'Community Gateway Association'. This fresh approach to stock transfer aims to provide positive support for community control, including TMOs, through the new landlord. If the transfer goes ahead then progress will be watched with interest in view of the absence of new TMO development elsewhere in the housing association sector.



Hilary Benn MP meets with BITMO members and local councillors at Belle Isle

NFTMO HELPS OUT IN TMO COMPETENCE TESTS

If invited by a Section 16 agency and the group, the NFTMO is now willing to provide an external viewpoint when the question of TMO development competencies is being considered.

This follows a successful pilot at the suggestion of First Call Housing Consultants. They asked the NFTMO to carry out a short review to add to their own conclusions as to the competence of the Belle Isle TMO in Leeds. The NFTMO work included: -

- A review of documents contained in the TMO's portfolio and the portfolios of individual committee members.
- A half-day meeting with seven TMO committee members during which there was an opportunity to ask questions arising from the review of documents
- A short written report to First Call.

If your agency or TMO would like the Federation to carry out a similar review, at feasibility or development stage then please contact us.

We are pleased to say that not only was the Belle Isle TMO clearly competent but they won their subsequent ballot and, as a result, have extended their management area to the whole of the Belle Isle estate.

SHOUT FOR AWARD

Shout TMO Board member Tommy Massey was recently presented with The Manchester Residents Association Jean Smith Award for 'the outstanding tenant and resident association of the year' by Manchester City Councillor Basil Curley. The Award was made to Shout TMO in recognition of the hard work which Shout TMO have carried out within their community.

CARRY ON MANAGING – CONTINUATION BALLOTS UNDER THE SPOTLIGHT...

TMOs that are using the Modular Management Agreement are required each year to check that members attending the Annual General Meeting want the organisation to carry on managing the estate.

Also, at least once every 5 years, there has to be a consultation with all tenants and leaseholders of homes managed by the TMO about whether the Management Agreement should continue. The Agreement says the consultation can take the form of a secret ballot or a questionnaire. If the majority of those voting are against continuation then the TMO will not be able to carry on in management.

The Local Authority Co-op Officers Group (LACOG) is producing some good practice guidelines for continuation ballots and would welcome hearing about experiences of TMO Continuation ballots. Information should be sent to Lee Page, Resident Participation Manager, London Borough of Wandsworth. You can contact him on 020 8871 7513 pr at lpage@wandsworth.gov.uk.

Meanwhile, two recent ballots have resulted in resounding tenant support for TMOs to carry on managing :-



ACKROYDON EAST TMO WINS CONTINUATION

The Ackroydon East TMO has successfully won its continuation ballot and will therefore be managing its estate in the London Borough of Wandsworth for a further 5 years.

The ballot was expected to be close given that more than half the estate's properties are in leasehold ownership, the majority of those being in the ownership of private property companies and absent leaseholders. Also given that the TMO's improvements programme has resulted in sharp increases in service charges; it was therefore very pleasing for all involved in the TMO that the ballot was won with a 70% majority support.

The Ackroydon East estate was built between the late 1950s and early 1970s. The 275 include 3 tower blocks, some terraced properties, maisonettes and flats.

Over the past 5 years the TMO has dramatically improved the cleaning and general maintenance of the estate and carried out a variety of improvements schemes including:

- Creation of a play area for young children
- New secure front doors for all tenants

- Internal painting for all buildings
- Creation of a new car park
- Re-tarmacing of access roads
- Re-roofing and letting of previously disused garage blocks and storerooms

The TMO has also worked in close partnership with Wandsworth Council to ensure that they have resolved many longstanding problems including some roof renewal, installation of new secure intercom systems, repointing of damaged flank walls and replacing defective double glazed windows.

In addition to these physical improvements the TMO has also developed an interactive website for residents to access all the estate's services 24 hours a day.

Ackroydon East TMO Chair Terry Farrow said 'The TMO has made a real difference to the estate's appearance. Repairs are carried out quickly and much needed improvement works have been and will continue to be carried out. We look forward to another 5 years of making our estate a better place to live.'



TENANT POWER FOR FIVE MORE YEARS!

Tenants of Bushbury Hill in the north east of Wolverhampton have voted overwhelmingly for their Estate Management Board to continue providing their Housing Service. With a turnout of 65%, 94% of Bushbury Hill's tenants voted "Yes" to the Board continuing.

Ken Spilsbury, Chairman of the Board, said the commitment and effort of both the Voluntary Tenant Board members and their staff team

have been rewarded. "The Ballot result has given everyone a real boost to go forward into the future striving to improve our service."

Wolverhampton North East MP, Ken Purchase said "The result is a resounding endorsement of the organisations hard work. I endorse fully the comments by the Chairman, Ken Spilsbury and would add my own congratulations to the staff and Board Members alike.

Co-op member is "Heart of Salford"

A tenant management co-op member has been named the Heart of Salford Community Volunteer of 2004. Mary Holmes, pictured left, of the Windsor Albion Co-op won the award as recognition of her work for co-op members and the local community.

Co-op manager Suzanne Hall explained " Mary has been involved in the Co-op for eight years and has been responsible for arranging annual trips to Southport, ice shows and meal trips out for the elderly. In all weather Mary can be seen out on the estate delivering things like newsletters, Easter eggs and selection boxes. Mary organises parties for all occasions and visits the old, the sick and the new born. She does all this whilst being an outpatient receiving treatment for diabetes. She is truly respected by all on our estate. She has played a huge part in keeping the children in check and has even helped resolve some neighbour disputes."



GOOD PRACTICE EXAMPLES NEEDED FOR IN-TOUCH TOOLKIT

The NFTMO / HouseMark project to develop a Business Planning and In-touch Toolkit for TMOs is off to a flying start. Two advisory groups have started work and over 20 TMOs have volunteered to pilot the Toolkit.

The project is being managed by John Frankis of Acclaim Consulting and he is now looking for examples of good practice from around the country. John explains, "The toolkit will be in two parts. Firstly it will help TMOs to create and develop a business plan fit for their needs. Secondly it will provide guidance about how TMOs can best keep their members and tenants informed and involved. For that second part of the Toolkit we want to hear from any TMOs who have good examples of how they involve people and make sure their committee stays in touch with tenants and leaseholders."

If your TMO (remember that includes management co-ops, EMBs and all forms of TMO) has some good practice you are willing to share then please get in touch with John at frankisj@aol.com, or fax to 0208 854 1045, or send to John Frankis, 8 Dallin Road, Plumstead, London, SE18 3NU.

If you are really proud of what your TMO has done then why not enter for the TMO Intouch Award! See front page for details.

TMOS AND THE NEW EMPLOYMENTS REGULATIONS

The introduction of the Statutory Discipline and Dismissal Procedures alongside the Statutory Grievance Procedure on 1st October was a significant change to employment law. Tenant Management Organisations that employ staff or have responsibility for seconded staff should be aware of the new regulations about procedures for staff dismissals, disciplinary actions and grievances.

TMO committee members are responsible for making sure these procedures are followed and failure to do so can give rise to stiff financial penalties for the TMO. To help, First Business Support has written a detailed TMO briefing note for the Federation about the new rules. The briefing note is being sent free to all NFTMO members and is also available as a download from the NFTMO website at

www.tmonatfed.com. Here First Business Support brings us up to date with how the regulations are impacting.

Already many questions are starting to arise, without any clear resolution, as to what the correct answer may be. For example one area already queried is the bold statement within the Regulations and the DTI guidance that the discipline and dismissal procedures apply to "all situations when the employer is contemplating dismissal". This clearly means that not only do they apply to all conduct or capability issues, but also to all other dismissals such as retirements, the end of fixed term contracts, or probationary terminations.

Having established that the Statutory Procedures apply to all these situations the question now arises as to what happens if they are not complied with in circumstances where an employee cannot claim unfair dismissal. For example, employees dismissed inside their probationary period could, in the past, be simply called in and advised that they were being dismissed, now the Procedures state that a formal notification must be sent before any meeting and that the right to appeal should be given. On the face of it if the Procedure is not applied the employer has failed to comply with a statutory requirement. But what is the sanction?

An employee cannot actually make a claim to a Tribunal based solely upon the failure to follow the Statutory Procedures, and the law on unfair dismissal still requires 12 months service. This does not mean that no claim can be made, because the requirement to follow the Statutory Procedures must be taken into account by a Tribunal in an array of other complaints that have no such service qualification.



Steve Willey of First Business Support speaking at a TMO workshop.

For example an employee dismissed within his/her probationary period can claim a variety of types of discrimination, which they may claim, was the reason for the dismissal. The absence of any procedure during which the reason was clarified and explained will lend credibility to their claim – not to the employer's actions.

Even when an employee is dismissed outside the probationary period and inside 12 months service the same situation can apply with the added complication of a possible claim for breach of contract.

In short the safe course of action (and cheapest) is to comply with the Statutory Procedures for all types of dismissal.

First Business Support is a company who provide Employment Law and Health and Safety services to business. First Business Support does have some TMOs amongst their clients. They can be contacted on 01706 222626 or by E Mail to info@first-business.co.uk

KEY POINTS TO NOTE:

- Failure to follow written procedures for discipline or dismissal of a TMO employee will open the TMO up to a finding of unfair dismissal and an obligation to compensate the employee.
- The regulation lays down a simple three-step procedure which should be followed in every disciplinary action or dismissal.
- In rare cases where instant dismissal may be acceptable a modified two-step procedure is allowed.
- TMO employees must also follow a specified procedure for raising grievances.

MARTIN KNOX REMEMBERED

People in the world of tenant control have been shocked to learn of the recent death of Martin Knox. NFTMO Executive Committee member Keith Proctor pays this tribute:



Martin Knox, who was passionately committed to Community controlled housing and regeneration sadly passed away, at the end of his childrens' half term holiday. He was an outstanding friend, mentor, housing and regeneration solicitor. He was recently appointed as Senior Partner of Anthony Collins Solicitors, who have nearly 200 staff.

He had a rare combination of a compassionate heart and incisive mind. He was a visionary with the power to deliver. He founded and lead the Transformation Team at Anthony Collins with an inspiring and encouraging passion. He even made law exciting!

He had a strong faith, and used to say people are like "a stick of rock, sometimes they have a wrapper saying the right words, but are they the same throughout the stick of rock". He proved

faith works, and was totally committed to residents leading community transformation.

Sadly he has been cut off in his late forties, in his prime. He chose to live on a Council Estate with his close family. He is survived by his wife, Janet, and 3 children.

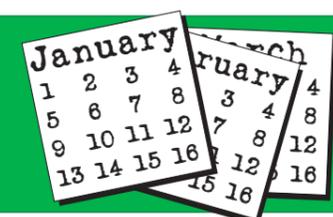


NFTMO Training Measures Up!

Participants pictured at the end of a November residential training event on benchmarking and best value for TMOs. Held at the Hilton Hotel in Bromsgrove, the event was part of the PEP National Tenant Training Programme but was run in partnership with the Federation. The weekend provided an enjoyable and productive course and participants returned home with a benchmarking report for their own TMO.

TRAINING DIARY

January to March 2005



Training is essential to the long term health of your TMO. Here is just a sample of training opportunities that are coming up soon. If you want to advertise events in future issues of the TMO Magazine then E Mail details to magazine@tmonatfed.com

TPAS dates for 2005 had not been fixed at time of going to press.

| COURSE / EVENT | DATE | VENUE | CONTACT |
|--|------------------|------------|---------------|
| Getting the best from your contractor | 14-16 January | Nottingham | PEP |
| Neighbourhood inclusion | 18-19 January | Chester | Trafford Hall |
| Preventing conflict in your community | 21-23 January | Warwick | PEP |
| Monitoring and evaluating your work | 24-25 January | Chester | Trafford Hall |
| Tackling anti-social behaviour | 28-30 January | Manchester | PEP |
| Employing & managing staff | 4-6 February | Sheffield | PEP |
| Presentation skills | 11-13 February | Sheffield | PEP |
| Building your team | 11-13 February | Chester | Trafford Hall |
| An introduction to housing finance | 12 February | Birmingham | PEP |
| Starting a social enterprise | 17-18 February | Chester | Trafford Hall |
| Investment options for social housing | 18-20 February | Swindon | PEP |
| Neighbourhood management | 25-27 February | Warwick | PEP |
| More than being green | 28 Feb - 2 March | Chester | Trafford Hall |
| Mediation skills | 4-6 March | Chester | PEP |
| Where the money goes - housing finance | 11-13 March | Chester | PEP |
| Introduction to repairs & maintenance | 11-13 March | Nottingham | PEP |
| Monitoring & evaluating a funded project | 14-16 March | Chester | Trafford Hall |
| The law & anti-social behaviour | 18-20 March | Bristol | PEP |

Contacts : PEP , Sandra Young 020 7281 3178 ; TPAS , Debbie Lucas, 0161 868 3500 ; Trafford Hall , Natalie Bradbury 01244 300246

TON UP FOR NFTMO MEMBERSHIP



Over 100 Tenant Management Organisations are now members of the National Federation. Membership has doubled in the last twelve months. But there are still as many again that have not yet joined!

Next year the range of 'members only' services will be increased, including exclusive access to new areas of the NFTMO website and substantial discounts on NFTMO events. Membership is open to established and developing TMOs managing council or housing association homes. That includes tenant management co-ops and estate management boards.

Membership application forms can be printed off from the NFTMO website at www.tmonatfed.com or by ringing 01704 227053.

THE MODULAR MANAGEMENT AGREEMENT MADE EASY!



If you have ever worked with the TMO Modular Management Agreement then you will know that is not the easiest of documents to use. Well help is on the way ! Thanks to an Innovation into Action grant, HACAS Chapman Hendy and the NFTMO are developing a visual toolset (in the form of an interactive CD) - known as AdaPT - to make the new Modular Management Agreement (MMA) easier for TMOs to use.

The revised MMA

In the last issue of the TMO Magazine, the Office of the Deputy Prime Minister (ODPM) explained how they are updating and improving the MMA. It will be much shorter and clearer, with detailed procedures moved into appendices (now called schedules). It will also contain guidance, but will still be a hefty document.

AdaPT and the MMA

The intention is for AdaPT to make the MMA more 'user friendly' - for developing TMOs and for established TMOs that switch to the new

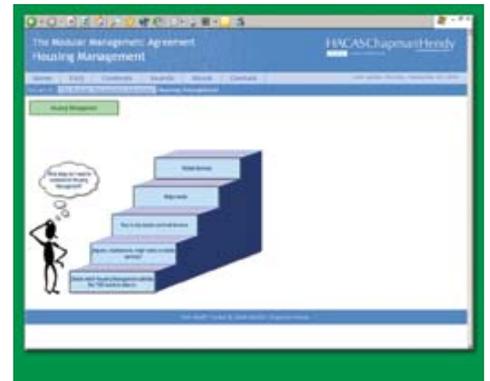
agreement. The CD will provide a visual description of the process that tenants need to go through in setting up a TMO.

The aim is to make it quicker, easier and more enjoyable, presenting information and choices in a way that helps to keep alive a vision of what the effort is all for. The CD will also provide links to good practice and other useful materials and resources. For example, documents to help build policies and procedures.

Piloting AdaPT for the MMA

An essential element of the project is to pilot the AdaPT toolset with TMOs - ideally ones that are working on the revised MMA. The idea is that selected TMOs will get the chance to 'test drive' parts of the toolset. It will hopefully make their work on the MMA easier and, in return, they will provide us with feedback about AdaPT.

AdaPT is designed as a flexible screen based toolset, and we believe that TMOs will be able to use it with a very brief introduction. When it is



finished, we expect that it will be freely available on line and on CD. We will talk to TMOs about the best way for them to access the toolset, and about any training they may need.

If your TMO wants to be involved in the piloting, please fill in the form sent out with this magazine or contact the NFTMO coordinator on 01704 227053 or at trevor@tmonatfed.com.

A JOINT NATIONAL CONFERENCE OF:

The National Federation of TMO's & The Confederation of Co-Operative Housing

Are you involved with or interested in community control of housing? If so, then...

**MAY 6-8th
2005**

...is an important date for your diary!

CCH have a reputation for stimulating national events and the NFTMO Annual Conference last May was a great success. Now the two organisations are working together to bring you a conference that will be bigger and better than ever!

This is an advance notice of the event so that you can get it in your diary. We are aiming to send out a full conference programme early in 2005.

More information and an advance booking form are available from Trevor Bell on 01704 227 053 or at admin@tmonatfed.com.

- Guest speakers
- Themed Workshops • Study Visit • Gala Dinner & Entertainment • CCH & NFTMO AGMs included • Exhibition • All Bedrooms En-Suite • Creche • Leisure & Sports Facilities •

**Yarnfield Park
Conference Centre,
Stone, near Stafford**



Something for the next issue of the TMO Magazine?

If you have a contribution to make to a future issue please contact magazine@tmonatfed.com or ring 01704 227053.

The NFTMO works on behalf of EMBs, Tenant Management Co-ops and all forms of TMO

The TMO Magazine is published by the National Federation of Tenant Management Organisations Ltd. Views expressed are not necessarily those of the NFTMO. The Magazine is for and about Estate Management Boards, Tenant Management Co-operatives and all other forms of Tenant Management Organisations.

THE TMO MAGAZINE IS DESIGNED BY RICHARD PEARSON / E-MAIL: RICHARD@PENGUINBOY.NET / WEBSITE: WWW.PENGUINBOY.NET