

## **ANTI MONEY LAUNDERING POLICIES & PROCEDURES** **POLICY STATEMENT/OVERVIEW SECTION**

**Manage My Property** take a zero tolerance approach to being involved in illegal/illicit activity, and will fully comply with all relevant sections of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLRs 2017) and future amendments.

All partners and employees of the firm are under an obligation and duty to comply with the above. This policy & any related procedures aims to help partners and staff fulfil these responsibilities, by providing a clear framework, along with setting out the firm's key principles and obligations.

- Failure to fulfil these responsibilities may result in disciplinary action and may also result in criminal sanctions for the staff involved.

### **AML LEGISLATIVE FRAMEWORK SECTION**

Responsibilities under relevant legislation include:

- Risk Based Assessment
- Customer Due Diligence, including ID&V requirements, assessing Source of Wealth, and application of KYC information
- MLRO Responsibilities, SAR Reporting, Tipping Off, Police Orders
- Quality Assurance
- AML Record Keeping
- AML Training
- Compliance with International Sanctions Requirements

Key responsibilities of staff (*but are not limited to*):

- Conducting an adequate risk assessment and appropriate due diligence (CDD) on clients and transactions.
- Monitoring all clients/financial transactions on a regular basis for potential money laundering or terrorist financing activity;
- Reporting any suspicious activity in respect of client or transactions to the MLRO in accordance with the firm's SAR (suspicious activity reporting) procedure;
- Avoiding discussing any potential or actual SARs with clients or any third parties ("Tipping off")
- Referring any Police/Law Enforcement queries or requests to the MLRO ;
- Undertaking any AML-related training provided by the Firm.
- Keeping appropriate records of all AML related activity

### **ENTITY RISK PROFILE SECTION:**

The Director(s) believe **Manage My Property** are at a *low* risk of being used to launder the proceeds of crime. This is based on the following factors:

#### **HIGH LEVEL**

- *We do not do any 'Selling' of property, only 'Letting'*
- *We do not collect rents in excess of 10,000 euros per month. The maximum rent we collect currently is £5000 (6000) euros. Under HMRC rules, AML supervision is not required for Letting Agents who collect rents below 10,000 Euros per month.*
- *We have been a member of ARLA Property Mark for 13 years and all employees of the firm are 'Fellow' members, the highest grade of membership. Our membership can be confirmed [here](#)*
- *Our Director and Senior Property Manager both have the Level 4 Certificate in Residential Letting & Property Management, the highest level of qualification in the UK.*
- *All employees undertake a minimum of 20 hours of CPD (Continuing Professional Development) per year.*
- *We are a member of The Property Ombudsman [www.tpos.co.uk](http://www.tpos.co.uk) membership D03867*
- *We have Client Money Protect Insurance (through ARLA PROPERTYMARK). Our CMP Certificate can be checked [here](#)*
- *We have an annual independent audit of our Client Accounts – you can view our 2023 report [here](#)*

#### **TRANSACTIONAL**

- *We meet every client who transacts with the firm either in person or over Video.*
- *We collect and verify Passports, proof of address and (where applicable) proof of ownership.*
- *All payments received and paid out from our Client Account are logged and monitored by our Lettings and Management Software package, [ALTO](#).*
- *We do **DAILY** reconciliation of our client bank account and also run a monthly reconciled balances report.*
- *We do not handle any **Cash**.*
- *We do not handle or process **Card Payments**, all money received and paid out are via BACS.*
- *99% of our clients whom we pay money out to, have UK Bank Accounts.*
- *Our Property Management Software has automatic prompts for AML checking.*

### **RISK BASED ASSESSMENT SECTION:**

- *The MLRO at Manage My Property is Director Andrew Bald.*
- *Risk assessments are performed on all Clients who financially interact with Manage My Property.*
- *They are carried out by both Andrew Bald (Director) and Lerri Calligher (Property Manager). Copy of Client Risk Assessment form is [here](#).*
- *Our Risk Assessment forms are reviewed annually.*
- *All potential clients are researched and verified through external sites, such as Linked-in.*
- *99% of MMP clients have UK based bank accounts.*
- *Any 'red flags' are reported immediately to the CMOL. And the incident/situation is recorded in a document and reported to the authorities.*

### **CUSTOMER DUE DILIGENCE PROCEDURES SECTION**

- *Andrew Bald and Lerri Calligher are responsible for taking ID&V*
- *ID&V checks are done prior to any financial interaction with a client and carried out as part of our Onboarding Processes.*
- *99% of Manage My Property clients are individuals.*
- *Where a client is not met 'in person', a video meeting is arranged and recorded for verification and checking ID originals.*
- *Acceptable ID Documents are – Passport. Acceptable Address verification documents are – bank/credit card statement, utility bill, tenancy agreement, driving licence, HMRC tax document*
- *Where a client is a 'company' rather than an individual, then ID&V checks are as follows; certificate of incorporation, latest company confirmation statement, ID&V docs for all shareholders with more than 25% shareholding.*
- *Where a client is a 'trust' rather than an individual, then ID&V checks are as follows: Trust Deed, list of trustees/beneficiaries, ID&V for all individuals who have a beneficiary interest greater than 25%.*

## Politically exposed persons (PEPs)

The firm will apply enhanced and ongoing due diligence to all PEP clients and will consider and assess the heightened risk of undertaking business with or on behalf of PEPs, particularly the risk of laundering the proceeds of corruption.

What is a PEP?

- A "politically exposed person" (PEP) is a term describing someone who has been entrusted with a prominent public function.
- A PEP generally presents a higher risk for potential involvement in bribery and corruption by virtue of their position and the influence that they may hold. Positions may include:
  - Head of state, heads of government, ministers and deputy or assistant ministers
  - Members of parliament
  - Members of supreme courts, of constitutional courts, or of other high-level judicial bodies – members of courts of auditors or of the boards of central banks
  - Ambassadors, charges d'affairs and high-ranking officers in the armed forces
  - Members of the administrative, management or supervisory bodies of state-owned enterprises

The definition of a PEP also extends to:

- family members of a PEP – spouse, partner, children and their spouses or partners, and parents
- known close associates of a PEP – persons with whom joint beneficial ownership of a legal entity or legal arrangement is held, with whom there are close business relationships, or who is a sole beneficial owner of a legal entity or arrangement set up by the primary PEP

*If the firm deploys an electronic verification tool – this tool should be used to check potential PEP status on all clients*

*(If electronic verification is not deployed): Should circumstances or information arise to suggest that a client is a PEP (or a corporate client is owned/controlled by a PEP) the firm should ask the client additional questions to determine PEP status, and use open source information to verify.*

### **International Sanctions Checking:**

The fee earner will conduct a sanctions list check on each new client via the HM Treasury website (or an electronic verification system if used) to check if the client or source of funds is related to a sanctioned jurisdiction/regime, and conduct ongoing checks periodically (*at least annually for all clients*)

- <https://www.gov.uk/government/publications/financial-sanctions-consolidated-list-of-targets>

### **MLRO RESPONSIBILITIES/ SUSPICIOUS ACTIVITY REPORTING SECTION**

**Here, detail the responsibilities of the firm's MLRO including reporting of suspicious activity.**

- *The MLRO of the Firm is Andrew Bald, Director – [andrew@manage-my-property.co.uk](mailto:andrew@manage-my-property.co.uk).*
- *He is responsible for:*
  - *Scrutiny of unusual transactions highlighted to him*
  - *Ultimately deciding when a Client/Matter if client to be taken on where there is a high risk of money laundering*
  - *Reviewing SARs made from employees - decide when to submit to NCA*
  - *Deal with any contact to or from LSS or Police*
  - *Ensure all staff trained to level appropriate to their role*

### **Further to this:**

- *Encourage & detail how staff should make reports to the MLRO*
- *Make it clear obligations under POCA are mandatory – criminal offences*
- *Detail tipping off definition and potential issues*
- *What should be included in reports*
- *Timing of reports*
- *What process should be followed in the event of a Police Order being served*

### **QUALITY ASSURANCE SECTION**

- *Monthly review of new clients and check onboarding risk assessment docs*
- *Annual review of this AML Policy & Procedures - Implement any changes in legislation/requirements.*
- *Annual review of staff training.*

## **AML RECORD KEEPING SECTION**

*Manage My Property keeps all AML docs for a minimum period of 5 years following the end of a financial/business relationship. We store the documents outside of our central Lettings & Management System (Alto), using Microsoft One Drive.*

*Relevant records are:*

- *AML Policies, Procedures, Manuals*
- *Client Risk Assessments*
- *Evidence of staff training*
- *Suspicious Activity Reports*
- *E-Verification records*

## **AML TRAINING SECTION**

- *All staff should undergo an initial AML training session*
- *Knowledge enhancement and refresh training every 2 years – this can be in the form of either formal sessions or webinars.*
- *All staff should periodically review ARLA Property Mark AML communications and documents.*
- *Records of staff training should be updated.*

## **RELATED DOCUMENTS SECTION**

- *Risk Assessment Form*
- *Internal SAR reporting form*
- *Acceptable ID List*

Amendments Date	Change	Name
12 July 2023	Updated Further Information	Andrew Bald
25 <sup>th</sup> July 2024	Annual Check of Processes	Andrew Bald