factsheet elements2.jpg

Guide to Shared Repairs part 2:

Templates and Checklists

Use the templates and checklists included in this guide in conjunction with Edinburgh Shared Repairs Service’s ***Tenement Toolkit Step by Step Guide Part 1: Factsheets*** to help you manage your flat’s communal repairs.

*(Download word files for all templates from www.edinburgh.gov.uk/sharedrepairs)*

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1. Checklist for Inspecting Your Building

Use this to identify issues with your building.

*More information in our* ***Tenement Toolkit factsheet: Step 2 Find out what needs repaired***

1. **Notification of Defect Letter template**

Use this to let owners know there is a communal repair required to the tenement and that they are liable to pay for a share of the costs.

*More information in our* ***Tenement Toolkit factsheet: Step 3 Let owners know about the repair***

1. **Meeting Invite template**

Use this to invite owners if you are holding a meeting to discuss your building’s communal repair.

# *More information in our* ***Tenement Toolkit factsheet: Step 4 Organise an owners’ meeting***

1. Owners’ Meeting Minutes

Use this to record the discussion and action points from your meeting.

*More information in our* ***Tenement Toolkit factsheet: Step 6 Let owners know the decision***

1. Tenement Voting Form template

Use this to record the votes of each owner for and against the proposed repair solution for your building.

*More information our* ***Tenement Toolkit factsheet: Step 5 Vote on your repair options***

1. Notice of Tenement Meeting Decision template

Use this to let owners know the decision repair that the majority of owners has agreed.

*More information in our* ***Tenement Toolkit factsheet: Step 6 Let owners know the decision***

1. **Notice to Pay and letter templates**

Use these to notify owner of the agreed amount they need to lodge in your maintenance account for your repair.

*More information in our* ***Tenement Toolkit factsheet: Step 7 Organise your repair money***

1. Checklist for Maintaining Your Building

Use this after completing your repairs to help keep your building in good order.

**Checklist for Inspecting Your Building**

*Use this checklist to note any issues with your building*

|  |  |  |
| --- | --- | --- |
| **Inspection Checklist** | | **Problems** |
| **inside** | * top floor rooms * rooms at ground floor or below * rooms with an outside wall |  |
| **roof space** | * joists, rafters and other timber * joints between walls and roof * other visible surfaces * insulation * water tank and pipes |  |
| **roof** | * gutters and downpipes * flashings * chimneys * roof coverings |  |
| **external walls** | * sills * lintols above windows and doors * stonework * pointing * render coatings * bulges/leaning walls * doors and windows |  |
| **common stairs and**  **passages** | * rails and hand rail supports * loose plasterwork * treads uneven or worn away * windows and doors * floors |  |
| **outside** | * paths * railings and boundary walls * drains and gratings * air vents * trees |  |

|  |  |  |
| --- | --- | --- |
| Owner Name  Address |  | Date |
|  |  |  |

Dear

**Notification of Defect: (Insert Tenement Address)**

As the owner of flat (xxx) I am writing to advise you that there is a communal repair required to the tenement and we are all liable to pay for a share of the costs.

(Insert repairs required)

Having checked my title deeds they state that (describe the terms within the deeds) (or) Having checked my title deeds it would appear they are unclear in respect of decision making or appointing a factor therefore; I propose we carry out the repair/s under the provision of the Tenements (Scotland) Act 2004 Tenement Management Scheme (TMS) which apportions the liability as one property one vote.

It is my intention to hold a stair meeting to discuss the defects, present quotes to remedy the defect and to make a decision on which contractor to use by casting a vote for which you are entitled to participate. A ‘Meeting Invite’ will be issued to all owners informing you of the date, time and location of the meeting. If you would like to provide your own quote for consideration please bring it along to the meeting. I will then notify all owners of the decisions agreed at the meeting; this gives owners the opportunity to appeal any decision. Please note all appeals must be submitted to the Sheriff Court.

It is hoped that we all participate in this process, however if we are unable to reach agreement it will be my intention to seek intervention from the City of Edinburgh Council.

Yours sincerely

Name

Meeting Invite

Dear (If you are not the owner please forward this to the owner or their agent as soon as possible.)

# You, or someone nominated by you, are invited to attend a meeting of the owners of:

(Tenement address)

**The meeting will be held at:**

(Address)

**on** (date) **at** (time) .

## **The purpose of the meeting is to:**

## 

It is possible that a decision may be made by a majority vote at the meeting, as per provisions within the Tenements (Scotland) Act 2004. Therefore it is important that you or your nominated representative attend the meeting. You may wish to look at your title deeds and seek legal advice if you think there is some other provision for making of tenement decision contained therein. If you or a representative are not able to attend the meeting please provide any thoughts you may wish the meeting to consider in respect of maintenance and repairs for the tenement, in writing, to the following address by no later than the day prior to the date on which the meeting is to be held.

Email: \_\_\_\_\_

Address:

Tel:

Thank you in anticipation for your co-operation.

Signed: Dated:

**Owners’ Meeting Minutes**

*(Date, Time*

*Place of Meeting)*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Present:** | | | | |
| **Item** | **Subject** | **Discussion** | **Action – By Whom** | **Target** |
| **1.** | **Apologies** |  |  |  |
| **2.** | **Agreement of Previous Points**  (if applicable) |  |  |  |
| **3.** | **Actions from Previous Meeting** (if applicable) |  |  |  |
| **4.** | **Headings etc. as required** |  |  |  |
| **9.** | **Any Other Business** |  |  |  |
|  | **Date of Next meeting** |  |  |  |

**Circulation:**

As noted

**Tenement Voting Form**

|  |  |  |  |
| --- | --- | --- | --- |
| **Tenement address:** | |  |  |
| **Decision to be voted on:** | |  |  |
| Total No. Properties: | |  |  |
| Property |  | Vote |  |
| Number | Owner Name(s) & Signature | For | Against |
|  |  |  |  |
|  |  |  |  |
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|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  | **TOTAL** |  |  |

Notice of Tenement Meeting Decision

Dear

*(If you are not the owner please forward this to the owner or their agent as soon as possible.)*

# Further to the tenement owners meeting in relation to:

*(Tenement address)*

**Which was held at:**

*(Address)*

**on** *(date)* **at** *(time)* .

## The purpose of the meeting (in part at least) was to:

The total number of properties/votes allocated for the tenement is:

Votes **in favour** of:

Votes **against**:

The above results mean that the owners of our tenement **have agreed / not agreed** to:

Thanks to all who were able to participate.

Signed: Dated:

Note:

If you feel that you may have just grounds to appeal against this decision then the Tenements (Scotland) Act 2004 legislates 28 working days, from the date on which the notice was issued, to appeal you will need to write directly to the sheriff court to have the decision annulled. Decisions will not be implemented until this period has expired and provided no appeals have been made.

**Notice for Payment**

This is notice to the owner(s) of the property identified below to advise that they are required to pay their share of the estimated cost of common works into a joint maintenance account. Full details of estimated costs, work and where to pay are provided below:

|  |  |
| --- | --- |
| Name(s) of owner(s) | Janet & John Smith |
| Owner(s) of the property at  This is the address of the property where the work is to be carried out. Please specify the flat number. | Flat 1f1,123 Brown Street, Edinburgh EH10 10AB |
| Correspondence Address  If different from above  Email address  If Known |  |
| Shall deposit a sum of:  This is all properties full share of the estimated works cost | The Title Deeds/Tenement Management Scheme *(delete as appropriate)* confirm the following apportionment of costs for all owners –   |  |  |  | | --- | --- | --- | | Flat | Share % | Share £ | |  |  | £ | |  |  | £ | |  |  | £ | |  |  | £ | |  |  | £ | |  |  | £ | |  |  | £ | |  |  | £ | |  |  | £ | |  |  | £ | |  |  | £ | |  |  | £ | |  |  | £ | | **TOTAL** | **100%** | **£** | |
| To be deposited into this maintenance account: | Name of Bank:  Address of Bank:  Sort Code:  Account Number: |
| Final date money is due to be deposited in the maintenance account | Date: |
| Details of work being carried out as per the agreed Scheme Decision |  |
| Detail the estimates voted on and reasons for this being the preferred choice:  Contractor and costs |  |
| Date of Scheme meeting/agreement by owners that the work was needed This must have been a majority decision | Date: |
| If all shares are paid the proposed timescale for carrying out the works are: | Number of weeks work likely to take:  Proposed start date:  Proposed end date: |
| Names and addresses of all the owners who have agreed to the works | |  |  | | --- | --- | | Name(s) | Address | |  |  | |  |  | |  |  | |  |  | |  |  | |  |  | |  |  | |  |  | |

If any part of the Notice is not clear or you need any further information, please contact:

Name: Lead owner/factor

Signed:

Date:

Contact telephone number:

Name

Address

Town

Postcode Insert date

Dear

**Notice for Payment**

As you are aware, our building requires communal maintenance works to be carried out which all owners are financially responsible for. The attached **Notice for Payment** is a formal request for the lodging of your share of the estimated cost of the works.

The Notice details the required maintenance works, quotes obtained and voted on. Details of the awarded contractor, the estimate and the reason it was selected as the preferred option.

Prior to the contractor starting works the full amount of the estimate must be deposited into the buildings maintenance account. Please ensure that your share is deposited by (*insert date*) to the maintenance account detailed on the Notice for Payment.

If you are unable or unwilling to pay your share of the costs, this Notice gives owners the opportunity to make an application to The City of Edinburgh Council asking them to pay and recover a missing share. You should be aware that this would result in additional charges being applied by the Council to the owner whose share was paid.

If any part of this Notice is not clear, or if you have any questions please do not hesitate to contact me directly on (*insert lead owners contact details*).

Yours sincerely

*(insert name)*

**Checklist for Maintaining Your Building**

*Use this checklist to help you keep track of maintenance to your building*

|  |  |  |
| --- | --- | --- |
| **Maintenance Checklist** | **How Often** | **Date of Last Maintenance** |
| Gutter cleaning | Annually |  |
| Slated/tiled roof - inspection and repair | Annually |  |
| Flat roof inspection | Annually |  |
| Flashings on the roof and cupolas | Annually |  |
| Render coatings (e.g. cement) | Annually |  |
| Chimneys | Annually |  |
| TV aerials and fixings | Annually |  |
| Door entry system | 2-5 yrs |  |
| External paint work on doors, windows, gutters and down pipes | 3-5yrs |  |
| Mastic around windows | 6-10yrs |  |
| Stair painting | 10yrs |  |
| Pointing – mortar between stone/brick in walls | 10-15yrs |  |