

Mixed Tenure Improvement Service

Frequently Asked Questions

The Service and Voting Process

What is the Mixed Tenure Improvement Service?

The Mixed Tenure Improvement Service (MTIS) is aimed at improving the property condition of blocks of flats which include both privately owned flats and Council owned flats, we refer to these blocks as Mixed Tenure blocks. The Council will only be successful with this service if we can engage positively with owners and work together to deliver the repair projects.

Who can organise repairs on a tenement?

Any owner in a block can opt to take the role of Manager and organise repair works to common elements of their block, as laid out in the Tenements (Scotland) Act 2004.

What kind of repairs can the MTIS undertake?

In mixed tenure blocks, elements of the block are **shared**, like the roof, external walls and stairs. The MTIS hope to replace defective roofs, add insulation to the external walls and improve other **shared** elements where we have the authority to do so. The service does not cover repairs made to individual flats. Once your block is surveyed, the Survey Report will detail the recommended repairs, along with estimated costs and timescales.

Why is the Council taking the lead and organising repairs to my tenement?

The number of mixed tenure blocks across the city in need of repair is substantial and, as an owner and local authority, the Council has an obligation to assist in maintaining and conserving the City's built heritage.

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How does this affect council tenants?

The council will represent all council-owned flats for the duration of this project and fund the respective portion of the costs. Council tenants will be kept up to date with newsletters but are not required for the voting process.

Why has the Council not done major repairs before now?

Since 2004 the law of Scotland has stated that all owners are responsible for repairs and maintenance in common elements of the tenement block, such as roofs and external walls etc. The position of the council has been to encourage the owners within the blocks to take the lead on organising these repairs. Unfortunately, this has not resulted in the necessary repairs and maintenance being undertaken, therefore, the council as owners also, have decided to implement this scheme to address the necessary block repairs.

How are decisions made regarding repairs?

Decisions regarding common repairs in a block are governed by the block's Tenement Management Scheme (TMS), as established by the Tenements (Scotland) Act 2004. The TMS comprises all owners in a block, both Council and private. One vote is given to each flat in the block, and a majority vote results in a **Scheme Decision**. Any owner may object to the **Scheme Decision** within 28 days, after which the decision becomes legally binding. The Vote Form included with your Survey Report and Cost Estimate asks you to vote for or against the recommended repairs, and this vote will result in a **Scheme Decision**. We do understand that this can seem a little confusing and are more than happy to discuss and guide any owner through this process. You may also find the information provided on www.gov.scot/publications/common-repair-common-sense-guide-to-managing-tenements and also <http://underoneroof.scot/> extremely helpful.

When/how will voting take place?

Once a survey of the block repairs has been completed, The Council will send owners a letter with the scope and cost of the repairs. Owners can return their votes by post, or by telephone or email if required, as explained in the letter. Votes will be counted, and the Council will send owners a **Notification of Scheme Decision** letter. Any owner may object to the Scheme Decision within 28 days, after which the decision becomes legally binding.

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What is my route of appeal?

Once the Scheme Decision has been issued, you have 28 days in which to lodge an appeal with the Court. The procedure for this is laid out in Section 5 of the Tenements (Scotland) Act 2004.

What rights does the Council have when it does not own all the properties within my block?

Under Schedule 1 of the Tenements (Scotland) Act 2004, **Scheme Decisions** regarding repairs in tenement blocks can be passed with a majority of votes. If the Council owns more than 50% of the flats in a block, the **Scheme Decision** will pass. Owners may object to the **Scheme Decision** within 28 days, after which the decision becomes legally binding.

I have questions regarding my Survey Report or the Vote process, whom do I contact?

We have listed below our Case Officers and which address blocks they specifically deal with; this will enable you to contact your Case Officer direct without any issues, however any officer will be able to assist with your enquiry. You can also email us at any time, with any enquiries, to MTIS@edinburgh.gov.uk, where the Case Officer specifically assigned to your property will reply within 5 working days. You can also write to us at the address overleaf. We are here to answer all your questions regarding the project, but please note we **cannot give financial advice**.

Nina Scougall Tel: 07955311753, responsible for: -

Phase 1- 68-82 Duddingston Row & 1,2,3 & 21,25 (odd nos only) Bingham Medway

Phase 2 – 4-14 Bingham Medway & 1-13, 15-19 & 21-25 (odd nos only) Bingham Way

Phase 3 – 1-6 Magdalene Court

Jacqueline McMillan – Tel: 0762002191, responsible for: -

Phase 4- 1,2,3,4-18 Magdalene Gardens

Phase 5- 5-13 Magdalene Gardens & 1,3,5,7,8 & 10 Magdalene Drive

Phase 6- 2-40 Baillie Terrace & 1-12 Baillie Path & 2-8 Baillie Grov

Michela Ronconi – Tel: 07591947887, responsible for: -

Phase 7- 1-3 Baillie Grove (odd nos Only)

9-15 Magdalene Drive (odd nos only)

2-4 Magdalene Medway (even nos only)

2-8 Magdalene Avenue (even nos only)

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Phase 8- 25-29 Magdalene Gardens (odd nos only)
6-24 Magdalene Medway (even nos only)
34-38 Magdalene Drive (even nos only)
9-11 Magdalene Medway (odd nos only)

Phase 9- 10 Magdalene Avenue
1-5 Magdalene Medway (odd nos only)
17-19 Magdalene Drive (odd nos only)
6 & 1-11 Magdalene Place (odd nos only)

We have also listed at the end of this information sheet various organisations who may be able to assist/offer advice and have attached an information leaflet which we hope you may find helpful.

The Tender Process

What is a Tender Process?

When the Council puts out a tender it means that it is asking suitable businesses or suppliers and in this case, works contractors, to submit a quotation to carry out the works as required by their specification. This results in a contractor being selected to construct the works on the basis of best value for money, a balance of price and quality for doing the work.

Can anyone else tender for the work?

Unfortunately not. It is important that we only use contractors that meet the required standards to carry out the work. These standards include having the required knowledge and experience to successfully complete the work, having the required workforce and management structure, being financially secure and importantly being able to meet all health, safety and environmental standards. The Council publicly advertised for contractors wishing to carry out this type of work, assessed them against the required standards and then prepared a list of appropriate contractors to use for this type of work. This list of pre-assessed contractors is known as a framework and is used to tender the work for this programme.

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Why and what are the benefits?

The Council and all Local Governments are governed by law to ensure that all public procurement is based on value for money, defined as “the best mix of quality and effectiveness for the least outlay over the period of use of the goods or service bought”. This means that the Council are seeking to obtain the lowest cost and best quality of works for your properties by inviting a number of pre-approved contractors to bid for the works. Pre-approved contractors have gone through robust checks and met defined criteria to be able to be added to the Councils Suppliers list.

Is this scheme like historic Statutory Notice Problems?

We do understand that there will be concerns, we are here to reassure you that it is not. The Property Conservation Service no longer exists, the Mixed Tenure Improvement Service are an entirely new service set up to ensure that the tenants and homeowners of Edinburgh are living/owning accommodation fit for purpose. There are strict and stringent checks at every point to ensure that the tender process is fair, transparent, accountable and are governed by tight protocols. The Council are accountable to the residents of the city of Edinburgh, and as such we follow the guidelines and rules as set out by the government.

The Construction Process

Who will be my point of contact on site?

The contractors on your block will have a liaison officer who will be your first port of call for all issues relating to construction. This person will introduce themselves at the start of the construction and will be in regular contact with owners and residents. They will pass on all relevant information to our case officers.

How will I be kept updated during the project?

The contractor liaison officer (TLO) and site manager will keep in regular contact with owners and residents for all issues regarding the site and the progress of the works. The Mixed Tenure team will be in contact regularly with newsletters.

What is my housing officer's role?

Your housing officer is still the relevant contact for you regarding all tenancy management issues, and issues unrelated to this project.

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I have a repair to be made in my home, should I do it now or wait until the construction is over?

Please get in touch if you are planning any construction work for your own property at the same time as this project. We can work around some projects and can advise you of the best time to plan your construction.

Will I need to vacate my property?

We do not foresee the need for anyone to vacate their property, and we aim for residents to be able to remain in their properties for the duration of the works. Only in the case of health and safety concerns might residents be required to vacate the premises.

What disruption will there be?

Like all building sites there will be noise and traffic, and occasions when the contractors may need access to your property e.g. to gain access to the attic space. The contractors will keep you informed of what disruption may be expected, including their working hours and who to contact with questions or complaints.

How will COVID-19 rules be enforced onsite?

The construction team will comply with government guidelines and we will do all that we can to protect residents and the workforce. Residents and owners will be updated when we are aware of the guidelines which will be in place during construction.

Will my utilities/satellite TV be disrupted?

Water and power supply will not be disrupted. All satellite dishes will be taken down and repositioned on the scaffolding for the duration of the works to ensure your TV service is not disrupted, then returned to their original positions afterwards. The contractor will keep you informed if any issues arise.

Will any of the materials used be similar to those in Grenfell Tower?

Absolutely not. The insulation cladding that will be used in our repairs is completely different to that used in Grenfell Tower. The material we will be using is amongst the highest available fire safety rating and has been independently tested and approved for use as external wall insulation. We will also be making sure that the material being used fully complies with the requirement of the

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Council's Building Control department. Our team is dedicated to ensuring high quality repairs for the blocks we work on, and we hold our contractors to strict safety standards.

What guarantees will the works have?

Like all works guarantees are provided, the roof replacements, where applicable, will carry a 15-year guarantee. The External Wall Insulation (EWI) carries a 25 year guarantee. It must be pointed out that as with all guarantees these will come with conditions which will have to be met to ensure the validity of said guarantee. The contractor will supply these details upon completion of works.

Payment and Funding

Do I need to tell my insurance company about the construction?

Yes, you should inform your insurance company when construction begins on your block and make them aware of the presence of scaffolding around your property.

How much will it cost?

Owners will be provided with a Survey Report and Cost Estimate for their block, detailing the recommended repairs to be made along with an estimate of costs and duration. Owners may be eligible for funding towards the cost of the repairs and should get in touch with the organisations listed below for advice. Please be aware that your Case Officer **cannot offer financial advice** and can only signpost you to your options.

Are the Council charging a Management Fee?

There is a 20% Management Fee added to the final bill after completion of works, the breakdown of is included in the fee is as follows: -

1. Data gathering /review Title Deeds for liability and cost apportionment; legal consultation where required.
2. Owner and landlord engagement, voting and notification of scheme decision. Internal Panel approvals.
3. Building Condition Surveys, report writing and cost estimates for work.
4. Building Warrant preparation, submission (Inc. SER certification) and manage.
5. Structural Surveys of blocks by Structural engineer, review findings.
6. Prepare tender documents, procure, evaluate & award.

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7. Contract administration Inc. H&S, site supervision.
8. Engage with owners and tenants through-out works.
9. Agree Contractor Final Accounts, apportion costs and charge out to owners.

When will I be expected to pay for the work?

Once the work is completed owners will be individually invoiced by the Council. The invoices will be sent out after the Final Account has been agreed between the Council and the contractor, and usually within 3 months of completion of works. Once owners receive their invoice for the works they may wish to discuss options for payment with the Council. To do this please contact accountsreceivable@edinburgh.gov.uk or call 0131 469 5011 and select option 1.

I am worried about how I will pay for the work. Where can I get help and advice? What funding is available?

The Council have been able to secure a base level of funding from EES: ABS (Home Energy Efficiency Scotland: Area Based Scheme) amounting to £8,500 per property aimed at helping owner-occupiers and landlords (with three or fewer properties in their portfolio) with the cost of the proposed works.

There is also the possibility for additional EES: ABS Fuel Poverty grant funding for eligible homeowners, which could amount to up to £4,500. Owners will receive a funding form to fill in to allow us to apply for this funding on your behalf, please do not hesitate to contact your Case Officer should you require assistance with this.

Energy Saving Trust and Home Energy Scotland also provide loans subject to their terms and conditions for energy efficiency measures and essential repairs and maintenance. Your Case Officer will be happy to discuss this with you and refer you to them. You can also visit their website <https://www.homeenergyscotland.org> or <https://energysavingtrust.org.uk> for more details.

We understand that owners will be concerned about the cost of the repairs and how they will pay for this. Other options, as well as the funding detailed above, that may be available to you include:

- Using savings or other assets;
- Seeking financial advice before taking out a loan; or
- Consider a payment plan with the Council – be aware of the terms of the debt re-payment plan and compare this to an external loan arrangement.
- Consider the Council's policy under '**Acquisitions and Disposal**' for an option to sell back to the Council.

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Owners can arrange a payment plan with the Council's **Debt Recovery Team** after the bill has been issued. Further details of this are available to owners. To do this please contact accountsreceivable@edinburgh.gov.uk or call 0131 469 5011 and select option 1.

If you think you will struggle to pay for repairs, you should get impartial financial advice as soon as possible. The Council is **unable to provide financial advice directly**; however, we have listed agencies below that can provide advice and guidance for owners.

Organisations Providing Further Advice

Citizens Advice Scotland - Scotland's largest independent advice network

<https://www.citizensadvice.org.uk/debt-and-money>

Tel: 0800 028 1456

Tel: 0808 808 2282

Scottish Welfare Fund Team – Helping families in Scotland on low incomes

Waverley Court
4 East Market Street
Edinburgh
EH8 8BG

Email: welfarefundteam@edinburgh.gov.uk

Tel: 0131 529 5299

Age UK – Supporting older people in the UK

<https://www.ageuk.org.uk/information-advice/money-legal/debt-savings>

Care and Repair Scotland – Enabling older and disabled people to stay in their homes

135 Buchanan Street
Suite 2.5
Glasgow
G1 2JA

Tel: 0141 221 9879

Fax: 0141 221 9885

<http://www.careandrepairsotland.co.uk/>

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Granton Information Centre - provides free, impartial & confidential advice about housing, debt, welfare and money advice

134-138 West Granton Road
Edinburgh
EH5 1PE

Tel: 0131 551 2459 / 0131 552 0458

Email: info@gic.org.uk

<https://gic.org.uk/>

Home Owners' Support Fund - Run by the Scottish Government, it's made up of two schemes:

- Mortgage to Shared Equity
- Mortgage to Rent

These schemes help homeowners who find it difficult to pay their mortgage – or loans secured against their property – to stay in their homes.

<https://www.mygov.scot/home-owners-support-fund/>

Under One Roof - Impartial advice on repairs and maintenance for flat owners in Scotland

<http://www.underoneroof.scot/>

Breathing Space – Confidential phonenumber for anyone feeling low, anxious or depressed:

Tel: 0800838587

<http://www.breathingspace.scot>

Clear Your Head - Ways to help mental health and wellbeing

<http://clearyourhead.scot>

Social Security Scotland – You may be eligible for support from Social Security Scotland

<http://mygov.scot/benefits>

Department of Work and Pensions – Information on other entitlements.

<http://www.gov.uk>

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Step 1: What's the problem?

I suddenly have no money

- Lost job/reduced hours
- Lost money/unexpected expense
- Disaster (e.g. flood or fire)
- Relationship breakdown
- Money stopped (e.g. failed a medical)
- Sanctioned - see option 5

See options **1 2 5 6**

I am waiting on a benefit payment/decision

- Made a new claim for benefit
- Benefit payment is delayed
- Waiting for a benefit decision

See options **1 4**

My money doesn't stretch far enough

- Deciding between food/fuel/mobile credit
- Low income or zero hours contract
- Statutory Sick Pay too low to cover costs
- Not sure if eligible for support
- Change of circumstance (e.g. new baby/bereavement/illness/left partner)

See option **2**

I have debt

- Rent or Council Tax arrears
- Gas or electricity
- Credit or store cards
- Personal loans and overdrafts
- Owe friends and family
- Benefit repayments

See option **3**

Step 2: What are some options?

1 Scottish Welfare Fund

People on low incomes may be able to get a **crisis grant** from the Council.

This is a payment to help you cope during an emergency or disaster, or due to unexpected expenses. Crisis grants do not have to be paid back (not a loan).

2 Maximise Your Income

Anyone who is struggling financially can get a benefit check and speak to an advisor for free and confidential advice.

A **benefit check** can ensure that you are receiving all the money you're entitled to, especially if your circumstances have changed recently. Speaking to an advisor could also help you **find cheaper deals** on things like gas and electricity and **make sure you're not missing out** on things like school clothing grants or free school meals.

3 Debt Advice

Debt can happen to anyone. Free advice and support can help you find ways to manage your debts and reduce how much you pay each month.

4 Benefit Advance

If you have made a new claim for benefit and are in financial hardship while you wait for your first payment, you may be able to get an advance to afford things like rent or food. It's important to get advice before taking out an advance. Benefit advances must be paid back, and the money will be taken from your future benefit payments (a loan).

5 Hardship Payment

If you have been sanctioned, you may be able to request a hardship payment from the Jobcentre. Hardship payments are not always paid immediately, and they're not available to everyone. Hardship payments of Universal Credit need to be paid back (a loan), but hardship payments of Job Seekers Allowance or Employment Support Allowance do not (not a loan).

6 Challenge a Decision

You can challenge a benefit decision if your benefit has been stopped / sanctioned / reduced / refused or you have been overpaid. Most benefit decisions need to be challenged within one month.

Step 3: Where can I get help with these options?

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Step 3: Where can I get help?

Each of these services offer free and confidential advice

The Advice Shop

Advice on welfare rights, benefits, crisis grants, council tax, debt and money
0131 200 2360
advice.shop@edinburgh.gov.uk
www.edinburgh.gov.uk/advice-shop

Citizens Advice Edinburgh

Advice on benefits, debt, money, housing and more
0131 510 5510
www.citizensadviceedinburgh.org.uk

Community Help & Advice Initiative

Help with welfare rights, debt and housing advice
0131 442 2100
chai@chaiedinburgh.org.uk
www.chaiedinburgh.org.uk

Granton Information Centre

Advice on welfare rights, housing, rent arrears, debt and money
0131 551 2459 / 0131 552 0458
info@gic.org.uk

Scottish Welfare Fund

Crisis grants to cover the cost of an emergency
0131 529 5299
welfarefundteam@edinburgh.gov.uk
www.edinburgh.gov.uk/benefits-grants/scottish-welfare-fund

Other Support

Social Security Scotland
You may be eligible for support from Social Security Scotland
mygov.scot/benefits

Department for Work and Pensions
Information on other entitlements
www.gov.uk

Home Energy Scotland
Free, impartial energy efficiency advice to help save on bills and stay warm at home
0808 808 2282
www.homeenergyscotland.org

Shelter
Free housing advice
0808 800 4444
scotland.shelter.org.uk

Breathing Space
Confidential phoneline for anyone feeling low, anxious or depressed
0800 83 85 87
www.breathingspace.scot

Clear Your Head
Ways to help mental health and wellbeing
www.clearyourhead.scot

Your Home
One-to-one housing support
0131 603 9815
yourhome@ypeople.org.uk

Supported by



Worrying About Money?

Financial advice and support is available if you're struggling to make ends meet

Follow these steps to find out where to get help in Edinburgh



Updated on 01/03/21

Feedback? Share your experience of using this guide by visiting www.bit.ly/moneyadvicefeedback

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