



Under One Roof



Under One Roof

Impartial advice on repairs and maintenance for flat owners in Scotland

Over 100 articles on flat
owners' legal responsibilities
towards their co-owners



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Owners + Obligations

Acting together

Working well with your neighbours

Property management rules

Found in your Title Deeds and other legislation

Property Factors (Managers)

Rules for professional building managers

Paying for repairs

How to raise the money for repairs

Enforcing repairs

Dealing with owners who won't pay

Moving on

Buying, selling, renting, improving

Six ways to keep your flat's value

Owners' rights and responsibilities, to maintain and manage a building.

[Home](#) / [Property management rules](#)

Property management rules

Every tenement and block of flats is governed by rules which set out your rights and responsibilities. If you want to find out what repairs you are responsible for, what share of costs you should pay and how you should keep accounts then start by looking out your Title Deeds.

[Share this page](#)[Your building's rules](#)[Your repair obligations](#)[Sharing repair costs](#)[Day to Day Management](#)

Your building's rules

In your Title Deeds (Land Certificate)

Sharing repair costs

How much each owner should pay

Your repair obligations

Common and mutual responsibilities

Day to Day Management

From cleaning to accounting

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- ☐ Property Manager

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Your repair obligations



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Common Repairs

Mutual Repairs

Individual Repairs

Maintenance or Improvement

What is "responsibility?"

The Loft – who owns it?

Dormer Windows – Who Pays?

Garden Maintenance

Estate landscaping

Common Repairs

Repairs for which all owners are responsible.

Individual Repairs

One owner's responsibility

What is "responsibility?"

What it includes

Dormer Windows – Who Pays?

Who pays?

Estate landscaping

Are you responsible for landscaping costs

Mutual Repairs

Parts of the building owned by some but not all owners

Maintenance or Improvement

What is the difference?

The Loft – who owns it?

And when is it common?

Garden Maintenance

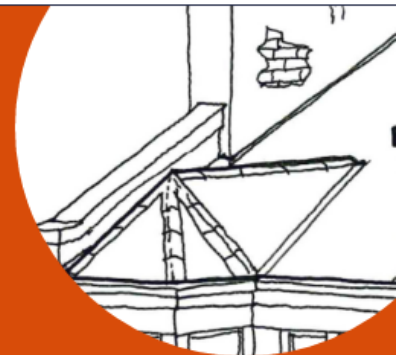
Who is responsible?

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Common Repairs

Common repairs are those to parts of the building for which all owners as a group are responsible for maintaining.



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Tenements Act and common repairs

Making decisions about common repairs

When does a wall stop being common responsibility?

To find out exactly what applies in your building, you need to read your Title Deeds. If there are problems with your title deeds you need to refer to the Tenements Act 2004.

Tenements Act and common repairs

The Tenements Act says common repairs include:

- the ground (solum) on which your building stands (but not always the garden).
- the foundations.
- the external walls – but individual owners are responsible for the part of these walls that lies in their flat
- the roof (including the rafters).
- other structural parts of the building such as beams, columns and load bearing walls.
- the close and stairs (when they are not mutual)

In a limited number of circumstances you may be responsible for the maintenance of parts of the building and its surroundings that you do not own, such as the garden or loft.

See also

[Internal Walls](#)

[Structural Problems](#)

[External walls](#)

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Encouraging owners to
develop good maintenance
habits...

...such as maintaining their
gutters



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Gutters

Gutters take the rain from your roof and channel it away from your walls and the timbers set into the walls that are prone to rot if they are damp – lintels, joists and rafters. As our winters get wetter, it is very important that your gutters function properly. Cleaning will prevent overflows and regular maintenance will prevent leaks. Gutter repairs are almost always common repairs.



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[What to look out for](#)[Cleaning gutters](#)[Dealing with climate change](#)[Types of gutter](#)[Moulded front gutter](#)[Half round gutter](#)[Stone gutter](#)[Parapet gutter](#)[Listed Buildings and Conservation Areas](#)[Who pays?](#)

What to look out for

John Gilbert



Typical signs of gutter problems

Damp stains under moulded gutter

Keep a regular eye on the gutters looking particularly for damp and stains underneath as these can be the first sign of leaks and overflows. Cracks in lintels underneath are

See also

[Drainpipes](#)[Parapet Gutters](#)[Cast iron gutters \(rhones\)](#)[Moulded gutters](#)[Stone gutters](#)[Drainage](#)

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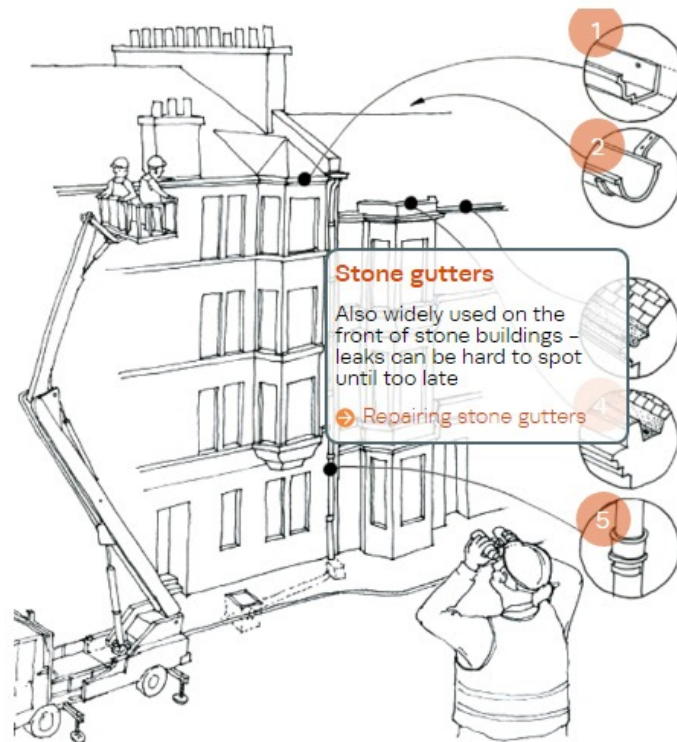
☒ Owner

Consider fitting a leaf guard over the outlet to the downpipe to help prevent blockages in the pipe but keep the guards themselves clean. Leafguards at outlets can also cause blockages as leaves will often collect around the wire cage and cause a blockage.

Dealing with climate change

As our winters get ever wetter with more frequent rain storms, gutter maintenance becomes even more critical. If you are replacing your gutters, increase their size so they can cope with more rain and add an undercloak to protect against rainstorms.

Types of gutter



Moulded front gutter

Cast iron gutters and the bolts that fix the joints in sections can rust and corrode. Hard to check from ground level.

Stone gutters

These gutters are simply a channel in a top cornice stone. The channel should be lined with lead or asphalt. As these gutters are hidden, leaks can easily go undetected leading to costly defects.



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Problems

Lead linings may not have sufficient thermal expansion joints leading to wrinkles, cracks and leaks. Similar problems can occur with asphalt linings with the areas above masonry joints being most vulnerable.

These gutters can also be too shallow to cope with all the rain coming off your roof. They then overflow.



John Gilbert

Stone gutter with lead lining

Note how shallow it is

See also

[Gutters](#)[Lead](#)

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Get professional help

Your flat is probably your **biggest personal investment** and for many people, it's their pension. It's worth **getting professional help to protect your investment, get best value for your money and avoid making costly mistakes.**

  Share this page[Management professionals](#)[Technical professionals](#)[When to get professional technical help](#)

Your building is a complicated structure so get help from professionals to plan and carry out repairs from the start. While there may be an upfront cost, tackling the right things, at the right time, in the right way will result in medium, long and maybe even short term savings. Why not start with a professional **maintenance survey**?

It can also be complicated to manage all the relations between owners in your building. If you don't have the skills and time to manage your building and your co-owners yourselves, if necessary using technical professionals to assist your **owners association**, then use a professional **property factor**.

Management professionals

Property Factors/Managers will communicate with owners, inspect your property, deal with accounts and arrange repairs.

Solicitors can advise you when you are considering taking legal action against your co-owners or builders.

Advice centres can help you with a wide range of personal issues as well as help with

See also

[Architects](#)[Surveyors](#)[Quantity surveyors](#)[Clerk of works](#)[Structural engineers](#)[Solicitors](#)[Getting Advice](#)[Health & Safety](#)[Property Factors \(Managers\)](#)

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Over 70 technical articles

- Identifying repair problems
- Explaining builders quotes

Flats of all ages and types covered

Buildings & Repairs

Information on repairs and maintenance of different types of buildings.



Stone tenements and villas



Older brick and render flats



Low rise and high rise flats



Modern estates



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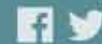
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Stone tenements and villas

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External walls

External stone walls contain many features that look good and protect the walls below.

[More about external stone walls](#)

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External walls



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1. Bay and Oriel Windows

2. Lintels and Beams

3. Front Gutters

4. Mullions

5. External Wall Features

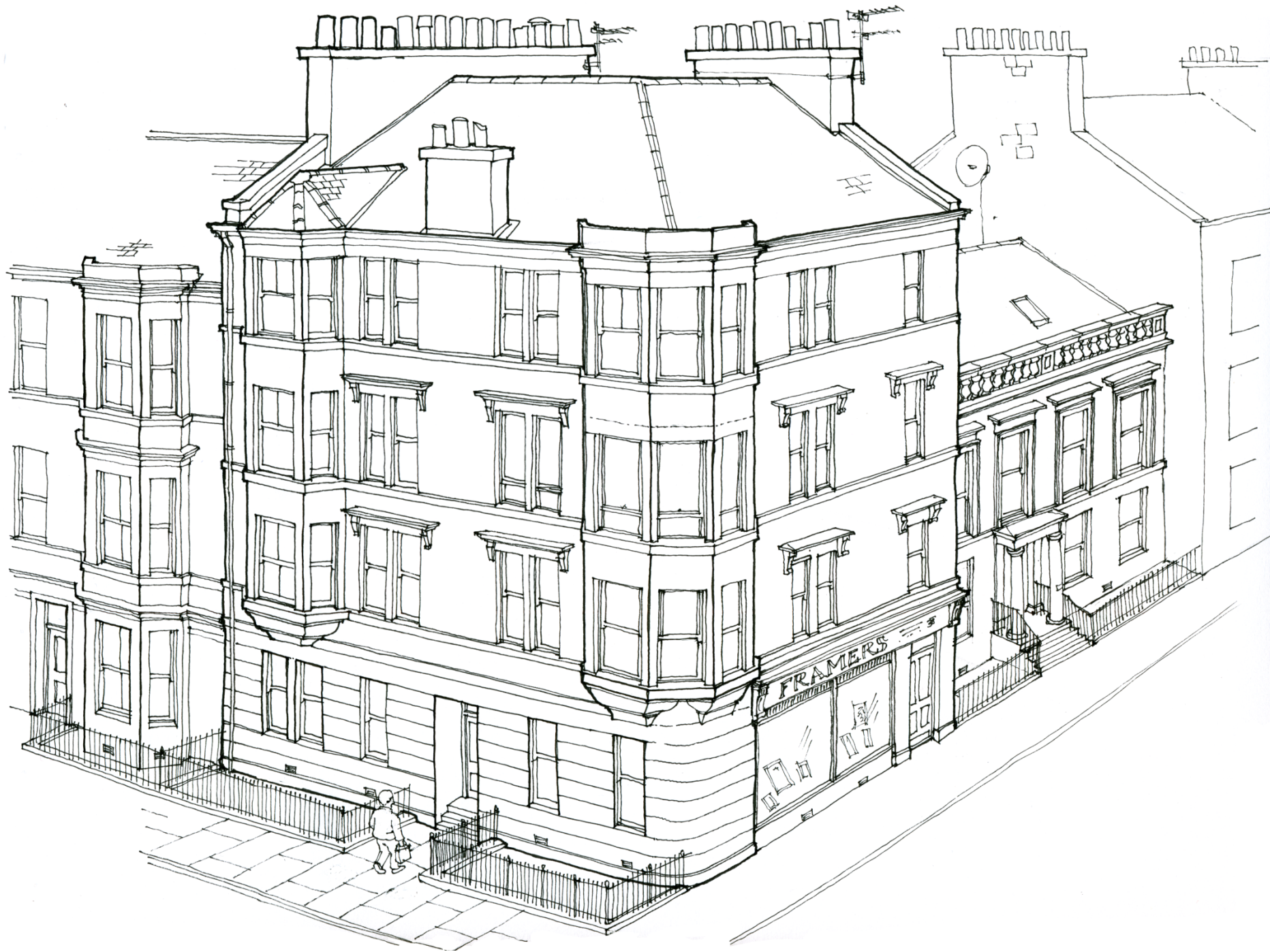
6. Cracks

7. Rear Walls

8. Stone Defects

9. Damp Proof Courses and Basements





Repair symptoms
checker



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[Home](#) / [What's the problem?](#)

What's the problem?

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Where is the damp showing?

[Top flat](#)[Top flat – modern block](#)[Middle flat](#)[Middle flat – modern block](#)[Ground/basement flat](#)[Any flat – above window](#)[Any flat – in the middle of an outside wall](#)[Any flat – leaks from flats above](#)

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Mid ceiling – roof leak?

[→ Tiled Roofs](#)[→ Flat roofs](#)[→ Flashings](#)

Mid ceiling – plumbing leaks?

[→ Plumbing leaks](#)

Where ceiling meets outer walls

[→ Gutters](#)

Mid ceiling – condensation on steel beam?

[→ Timber kit construction](#)

Helping owners save
money and preserve the
value of their flats



Under One Roof

Protecting our tenements

What is on the horizon?

On the immediate horizon

- Consultation on housing standards in tenements
- Links to energy efficiency agenda as per HEEPS Equity Loan Scheme

Existing housing

1. 85% of existing homes will still be standing in 2050
2. 70% of homes present in 2050 have already been built

Protecting our tenements

- Changing maintenance culture
- Legislative changes being discussed
- The path to achieving 2050 standards



Changing Maintenance Culture

Changing maintenance culture

- Under One Roof is part of this – 6 ways to maintain the value of your property.
- Develop better leadership
- Encourage owners associations



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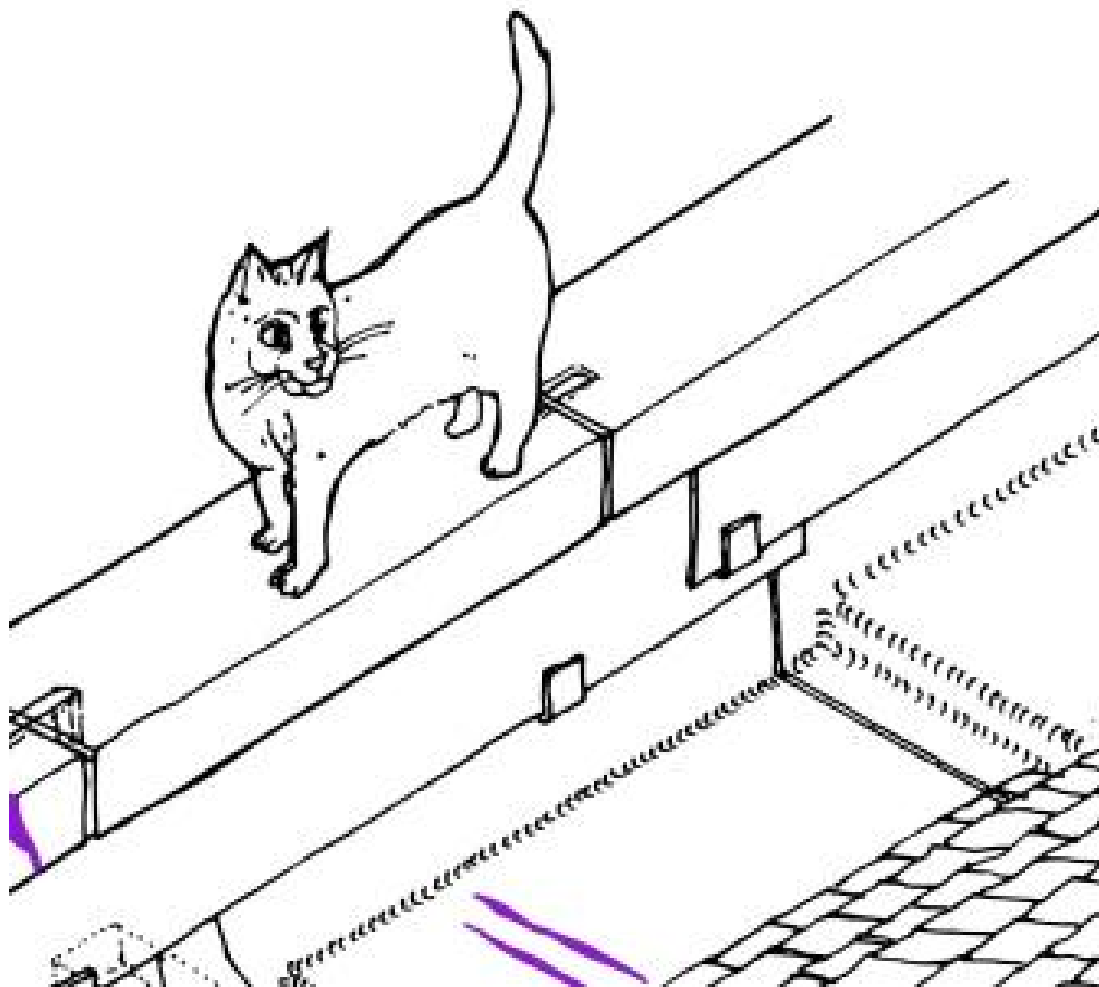
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Legislative changes

Recent debate in Scottish Parliament

Cross party recognition for tenements

“important to all who care about integrity of our cities”

“tenement living is a distinctive part of a high density, efficient city”

“part of our public infrastructure”

MSPs calling for:

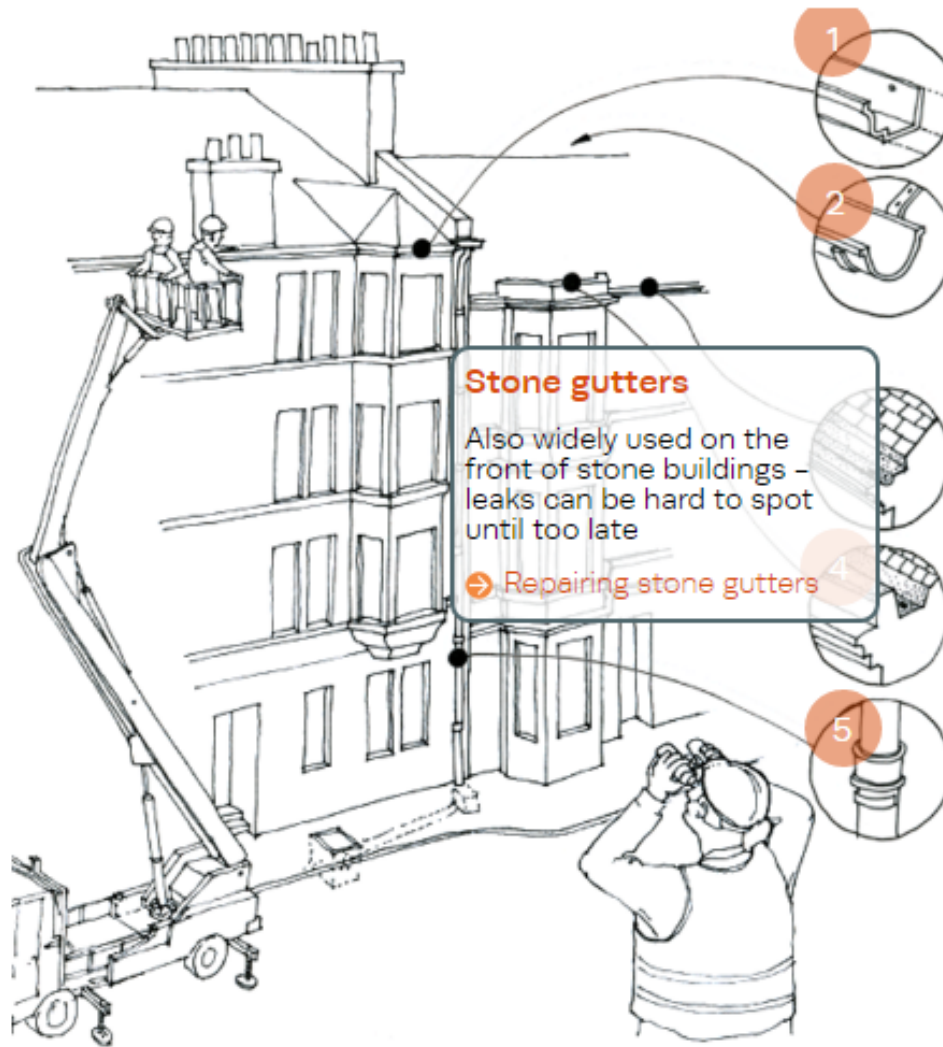
- Sinking funds
- Compulsory factoring
- VAT relief on repairs
- Routine inspections
- Housing checks

MSPs calling for:

- Ability to identify co-owners
- Relaxed CPO powers
- Higher factoring standards
- Not for profit repair services



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What is the role for Housing Associations?

Housing Association Role

- Changing maintenance culture
 - Promote tenement maintenance even if you are not a factor
 - Help owners set up owners associations
 - Offer advice surgeries, sponsor “Look Up” events

Housing Associations Role

- Could you support owners who don't have professional managers?
 - Could you be the “not-for-profit repairs service?”
 - Could you offer tenement checks?
 - Could you offer an owners mediation service (owner-to-owner and owners-to-builders)?

