

Decisions-tree guide to the common repairs process

Organising common repairs in your tenement building is often time consuming, as the process can be difficult to navigate.

We've made this decisions-tree guide to help take some of the stress out the process. This guide will help you take the right steps and follow correct procedures when organising or undergoing repair work, which is particularly important should you need to engage the council or undertake legal action.

How to use this guide

Follow the arrows between the boxes to see what you need to do at each step of the repairs process.

Words which are underlined link to articles on our website which give more information on what to do for each step.

We'd recommend a read through the entire decision tree to familiarise yourself with the process and what potential barriers you might need to overcome.

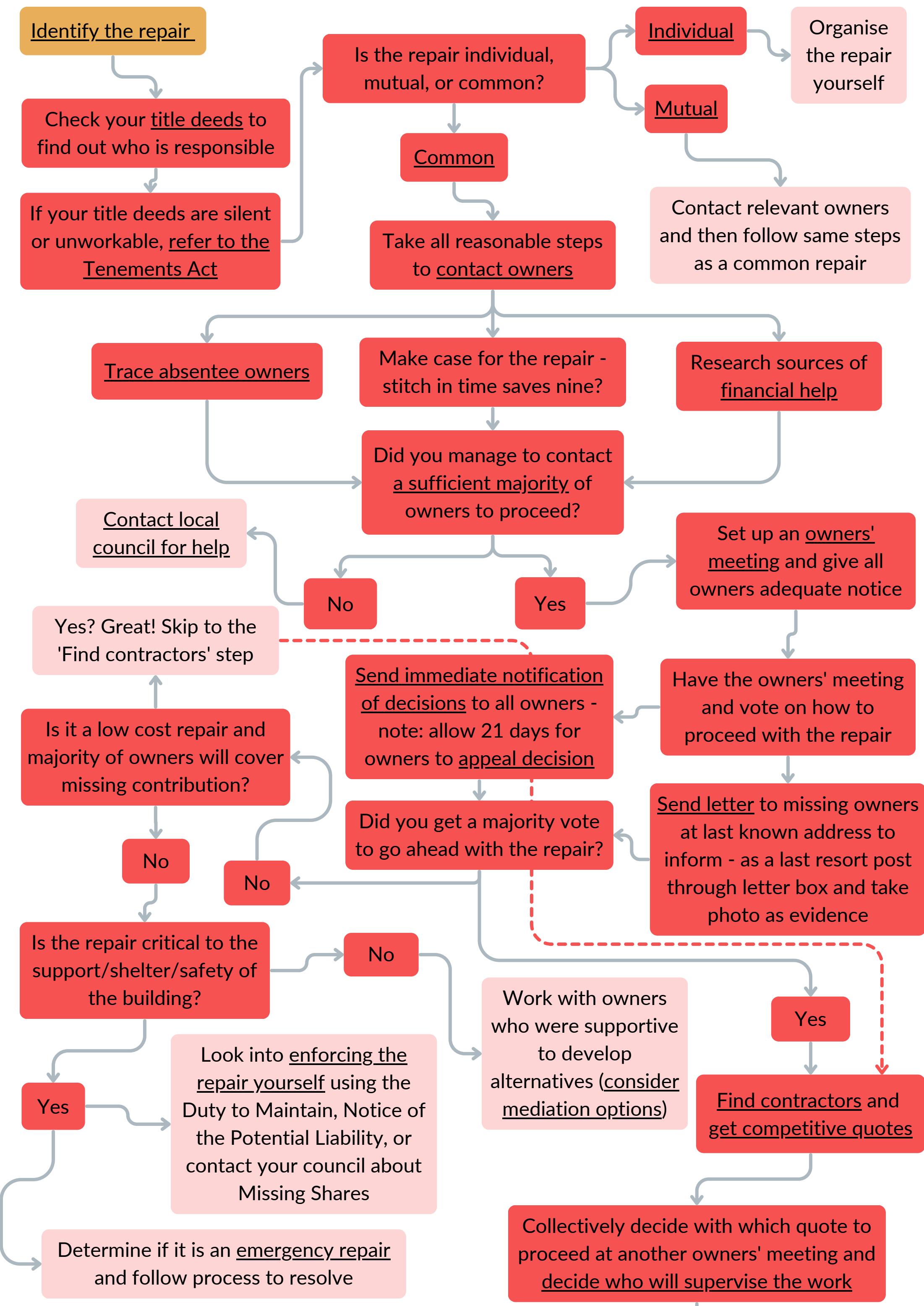
Maintenance not improvement

And, just a reminder, this guide refers to repairs that are regarded as maintenance work rather than improvement.

For more information on what counts as maintenance or improvement, see [this article](#) on our website.

If you have a specific question about tenement management or maintenance and you can't find the answer on our website, use our free enquiry service.

[Ask a tenement expert](#)



Identify the repair

Check your title deeds to find out who is responsible

If your title deeds are silent or unworkable, refer to the Tenements Act

Is the repair individual, mutual, or common?

Individual

Organise the repair yourself

Mutual

Contact relevant owners and then follow same steps as a common repair

Common

Take all reasonable steps to contact owners

Trace absentee owners

Make case for the repair - stitch in time saves nine?

Research sources of financial help

Did you manage to contact a sufficient majority of owners to proceed?

Contact local council for help

No

Yes

Yes? Great! Skip to the 'Find contractors' step

Set up an owners' meeting and give all owners adequate notice

Send immediate notification of decisions to all owners - note: allow 21 days for owners to appeal decision

Have the owners' meeting and vote on how to proceed with the repair

Is it a low cost repair and majority of owners will cover missing contribution?

No

No

Did you get a majority vote to go ahead with the repair?

Send letter to missing owners at last known address to inform - as a last resort post through letter box and take photo as evidence

Is the repair critical to the support/shelter/safety of the building?

No

Work with owners who were supportive to develop alternatives (consider mediation options)

Yes

Yes

Look into enforcing the repair yourself using the Duty to Maintain, Notice of the Potential Liability, or contact your council about Missing Shares

Find contractors and get competitive quotes

Determine if it is an emergency repair and follow process to resolve

Collectively decide with which quote to proceed at another owners' meeting and decide who will supervise the work



Send repair notification letter to all owners

Gather money for repairs from all owners **before** signing contract and starting work

Do you have a common bank account or maintenance account?

Yes

No

Send money to shared account

Request owners put their share aside or set up a maintenance account to send the money

Double check all procedures correctly followed, especially if not all owners have paid in advance

The agreed works' supervisor or lead owner communicates with contractor

Agree payment schedule with the contractor

Pay contractor according to payment schedule

Problems on site? All owners communicate with contractor via works' supervisor or lead owner

Works' supervisor or lead owner signs building contract

The work starts

Sufficient funds in maintenance account or put aside to pay 100% of repair costs?

Yes

Congratulations on having a well-managed tenement!

No

Did everyone pay their share in full?

Yes

No? You have two options

No

Send reminder and outline what you will do if no payment

Did they pay?

Take legal action

Divide shortfall amongst other owners

Repair cost under £5000?

No

Seek legal advice (webinar on legal action)

Use the Simple Procedure

Did they pay?

Phew!

Yes

No

Take debt recover action - work with Sheriff Officers and/or put charge on property

Other useful resources

Video guides

- [Getting co-owners to cooperate](#)
 - Information on common repairs, legal action, and mediation.
 - If you are faced with owners who refuse to pay their share of common repairs, the law directs you to a number of confrontational solutions.
 - This webinar discusses the reality of using these solutions and some alternatives.
- [How to set up and run an owners' association](#)
 - Forming an owners' association has a number of benefits including making organising and paying for repairs easier and giving you the ability to open a maintenance account.
 - This webinar discusses how to set up a successful owners' association, the benefits, and how you can improve your building, together.

Novoville Shared Repairs app

The Novoville Shared Repairs app is a digital solution to managing common repairs. It allows tenement owners to manage repairs collaboratively in one place in the app and includes lots of handy features to make the process easier.

Novoville has also collaborated with several local authorities in Scotland which enables direct access to your local Trusted Trader Scheme through the app.

[Find out more about Novoville on their website.](#)

[Legal disclaimer](#)

Our service is designed to answer questions about the management and maintenance of tenement buildings. It is not an advice service, and we cannot give our opinion as fact. Please ensure that you consult with a professional or seek legal help before taking action.