



Under One Roof

Impartial advice on repairs and maintenance for flat owners in Scotland

Working with your co-owners

6

ways to work well with your co-owners

6 ways to work well with your co-owners

1. Know your co-owners and their circumstances
2. Communicate with your co-owners
3. Deal fairly with your co-owners
4. Work with your factor if you have one
5. Work with owners who can't /won't pay
6. Set up an Owner's Association

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Know your co-owners

1. Know your co-owners

- Get contact details for absentee owners or their agents
- Hold regular meetings
- Be sensitive to your co-owners' circumstances

How to find your co-owners

- Absentee Landlords:
 - Check the Register of Private Landlords held by your local council and available online
 - Ask the tenant
 - Ask the letting agent

Follow this link to more information on [UnderOneRoof.scot](https://www.UnderOneRoof.scot)



How to find your co-owners

- Empty Flats
 - Check the Land Register
 - Ask for help from your local Council's Empty Homes Officer or the Scottish Empty Homes Partnership
- If you know the name, try Facebook or search online
- Try Sheriff Officers and Private Detectives

Follow this link to more information on [UnderOneRoof.scot](https://www.UnderOneRoof.scot)



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Communicating with your co-owners

2. Communicating with co-owners

- You may contact owners, **and take votes**, by:
 - Post
 - Other delivery method (fax, by hand)
 - Electronic Communication (Facebook, email, text)
- Keep copies, proof of postage, computer screenshots etc
- Contact landlord's letting agents
- If all else fails, post a letter to "The Owner" through the flat letter box. Get a witness.

3

Always deal fairly with your co-owners

3. Always deal with co-owners fairly

- Use proper procedures
 - Check what your Title Deeds and the Tenement Management Scheme say about making decisions
 - Don't leave people out because they are "difficult"
- Keep a diary of events and a file of letters

Follow this link to more information on [UnderOneRoof.scot](https://www.UnderOneRoof.scot)



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Work with your Factor if
you have one

4. Work with your factor if you have one

- Speak to owners who don't respond to factor's letters
- Tell these owners how important the repair is and where they can get financial and legal advice

5

Work on owners who won't
pay

Work with non-paying owners

- Don't let decay spread because one owner won't co-operate –it will cost you ALL more in the long run if you don't
- Follow proper procedures and the law is on your side

6

Set up an Owner's Association

Have good leadership

- Be pro-active not reactive
- Take a “stitch in time” approach to repairs
- Work with your Property Factor /Manager
- Set up an Owners Association

Why have an Owner's Association

- Research shows that blocks of flats with Owners Associations get more repairs carried out
- Owners Associations bring leadership and are proactive
- Owner's Associations help you get more from your Property Factor

Two types of Owner's Association

- Unincorporated – has a constitution but is not a legal identity in it's own right
- Incorporated – has a legal identity like a Company

Unincorporated Owners Associations

- Constitution – gives clear leadership and procedures
- Better neighbour relations
- Linked maintenance account
- Get better responses from property managers and builders
- CAN'T sign contracts in it's own name – individual owners must do this

Incorporated Owners' Associations

- New rules June 2009
- Owners Associations can be corporate bodies like companies
- Able to enter into contracts, employ people etc
- No individual liability for owners
- Need 100% agreement to set up so likely only for new developments

What should be in the Owners Association Constitution?

- The purpose of the Association
- Who can be members
- Subscriptions
- Office bearers
- How meetings are conducted
- Finances
- How to make changes to the Association Rules

What can Owners Associations make decisions about?

- Appointing or changing property managers
- “House Rules”
- Getting regular surveys carried out
- Planning repairs and maintenance
- Which contractors to use
- Arrangements for saving and paying for repairs

Download a model
constitution from
Underoneroof.scot

More information from UnderOneRoof.scot

You need internet access to follow these links

More about:

[Finding owners](#)

[Meetings](#)

[Difficult conversations](#)

[Procedures](#)

[Owners Associations](#)