Glenogle Court Residents Association

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Shared repairs in Edinburgh

How the Tenements Act says a shared repair should run – and the help Edinburgh council offers along the way.

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WHY WE'RE TALKING ABOUT THIS

Your block, your repairs

122

flats at Glenogle Court

25

tenement blocks

GCRA looks after

Communal areas shared across the estate, such as the gardens.

Each block's owners look after

Their own building. GCRA isn't responsible for repairs or maintenance to individual blocks.

We've had a few questions about shared repairs over the year, so tonight is some general guidance and signposting to point you in the right direction.

General guidance only – not legal advice. Always check your own title deeds.

KNOW THE DIFFERENCE

Routine upkeep, repairs and improvements

Routine upkeep

Stair cleaning, clearing gutters, painting the close. Regular, low cost – usually agreed once and shared on a rota or standing arrangement.

Shared repairs

A leaking roof, a cracked chimney stack, a failing downpipe. One-off and often costly – needs a decision, quotes and money collected up front.

Improvements

Adding something new rather than repairing what' s there. Unless your title deeds say otherwise, every owner has to agree.

WHERE THE LAW STEPS IN

In the Tenements Act, upkeep and repairs both count as " maintenance" and need a majority decision. Its formal steps – notices, deposits, the 28-day window – matter most for bigger repairs.

THE BASICS

Three rules every flat owner should know

We own the shared parts together

The roof, chimneys, gutters and stair are usually the joint responsibility of every owner in the block. Nobody else is coming to fix them.

Title deeds first, the Act as backstop

Your deeds say who pays, what share and what majority is needed. Where they're silent or unworkable, the Tenement Management Scheme fills the gap – usually equal shares and a simple majority.

A majority decision binds everyone

You don't need every neighbour to agree. A properly made decision on a repair, with every owner notified, binds the whole building – including those who voted no.

THE COUNCIL'S TENEMENT TOOLKIT · STEPS 1–4

Getting organised

1

Identify shared areas and who's liable

Check your title deeds. Where they're silent, the Tenement Management Scheme fills the gaps. Find every owner, including landlords.

Registers of Scotland · Landlord Register

2

Find out what needs repaired

Inspect and photograph. Use a surveyor for big jobs. Three quotes is good, but one is fine if the majority agree.

Building Inspection Checklist

3

Let owners know about the repair

One owner takes the lead. Talk first, then tell every owner in writing – post, email or through the door.

Notification of Defect letter

4

Organise an owners' meeting

Meet in person, or use an email or WhatsApp group. Keep a record of what's agreed.

Meeting Invite · Meeting Minutes

THE COUNCIL'S TENEMENT TOOLKIT · STEPS 5–8

Deciding, paying and getting it done

5

Vote on your repair options

One vote per property liable for the cost. Over 50% under the TMS – your title deeds may say otherwise.

Tenement Voting Form

6

Let owners know the decision

Written notice to every owner. Schedule the work at least 28 days after the decision has been communicated.

Notice of Tenement Meeting Decision

7

Organise your repair money

Send a Notice to Pay. Shares go into a joint maintenance account before work starts.

Notice to Pay

8

Get your repairs done

Agree a fixed price, dates and access with the contractor in writing.

Written agreement with the contractor

IN A BIT MORE DETAIL

Making a decision that sticks

One vote per flat

The owner votes – or for a rented flat, the landlord or their managing agent. **Tenants don’t vote.** You need a majority of all the flats that share the cost.

How many quotes?

Three quotes is a good amount to compare. But if the majority agree, you can go ahead with just one.

Notify everyone

Tell every owner the decision as soon as practicable. An owner who was never told may not have to pay – so put it in writing and keep proof.

CHALLENGES An owner who didn’t vote in favour can ask the sheriff to annul the decision within 28 days.

STEP 7 IN DETAIL

Collecting the money: the maintenance account

The written notice to owners should include

- the work and its estimated cost
- how shares were worked out – and each owner's share
- when the decision was made, and by whom
- the account details and who operates it

Held in trust for everyone who paid, for this work only

Refundable if work hasn't started within 28 days of the planned start

WHEN A NEIGHBOUR WON’ T PAY

The Missing Shares Service

The council can choose to pay a missing owner’ s share so an agreed repair goes ahead, then recover it from that owner.

£500–£20k

Size of each missing share

51%

Of owners already paid into a maintenance account

+10%

Admin fee on the non-payer, plus interest

BEFORE YOU APPLY Majority agreement, a section 50 notice to every owner, and work not yet started. Discretionary, budget-limited, mainly for unfactored stairs.

EMERGENCIES

When it can't wait for a decision

Any owner can act

The Act lets any owner instruct emergency work before a decision can be made, and share the cost as if the owners had agreed it. Do only what's needed to make it safe.

The council can step in

For immediate danger – unsafe chimney stacks, stair treads, handrails or skylights, fire damage – the council can serve an emergency notice on all owners.

Owners pay either way

The council only makes the building safe – it won't do the full repair – and passes on the full cost, plus a charge for its own work.

NUMBERS

Shared Repairs Service: **0131 529 6778** (office hours) · Out of hours: **0131 200 2000**. A tarpaulin, not a new roof – then organise the full repair properly.

Emergencies are strictly defined – check underoneroof.scot/emergency-repairs first

LOOKING AHEAD

Proposed changes to tenement law

Compulsory owners' associations

Every tenement would have a legal body that can hold money, sign contracts and manage repairs.

Inspections every five years

A regular whole-building condition check, so problems are caught before they become crises.

Building reserve funds

Owners save steadily for future repairs instead of facing one large bill.

GET AHEAD

Start building a repair reserve now – personally, or as a block with a shared savings account. If the changes come in you'll be ready; if not, you'll still have money for the next big bill.

Not yet law · Scottish Law Commission report and draft bill, December 2025

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USEFUL CONTACTS AND LINKS

Where to get help

EDINBURGH SHARED REPAIRS SERVICE

0131 529 6778

esrs@edinburgh.gov.uk

edinburgh.gov.uk/sharedrepairs

Free tenement toolkit: templates, letters and checklists

UNDER ONE ROOF – FREE IMPARTIAL ADVICE
underoneroof.scot

THE TENEMENTS ACT EXPLAINED
underoneroof.scot/rules-that-apply-to-all-flats

EMERGENCY REPAIRS
underoneroof.scot/emergency-repairs

SCOTTISH LANDLORD REGISTER
landlordregistrationscotland.gov.uk

BUY YOUR TITLE DEEDS – REGISTERS OF SCOTLAND
scotlis.ros.gov.uk

Thank you

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