

# Taking Care of Your Home



How You Can  
Take Part in  
Decisions  
About  
Work That  
Needs to be  
Done to Your Building



**PERTH &  
KINROSS  
COUNCIL**

Housing &  
Community Care

You own a flat in a building which also has flats owned by Perth & Kinross Council. The building includes parts, like the roof and the outside walls, which are owned jointly by everyone in the building. These are known as “common parts”. All the owners, including the Council, have the right to take part in decisions that are made about any work that needs to be done to common parts. All the owners must pay their share of the cost of repairing and maintaining these parts.

From time to time repairs and maintenance need to be done to the common parts - for example the roof and chimneys, the stairs and landings, and the

outside walls. This work helps keep your home safe and dry.

Although all owners have the right to set things in motion when repairs to common parts are needed, where the Council owns a flat in the building, we are likely to take the first steps to arrange repairs. If the Council thinks that the common parts in your building need work, we will give you all the information you need about it. You will then have the right to agree or disagree that the work should go ahead. The work will only go ahead once a majority of people in your building agree to it and anyone who disagrees has had the chance to appeal.

## *This is How it Works*

### *Step 1*

We write to you letting you know that your building is due for work, and telling you as much about it as we can at that stage.

We write to you again once we have had a surveyor in and appointed a main contractor. At this stage we can give you more details about the work and the costs involved. The costs will be shared equally by the Council and all the private home-owners in the building. For example, if the Council owns one flat in the building and there are three privately-owned flats, the Council will pay a quarter of the cost and the private owners will each pay a quarter of the cost.



## Step 2

We will write to you again including all the information you require to make a decision and we will send you a voting slip which you must return to us within three weeks of the date of the letter\*. The voting slip itself also has a note of the date it is due back, as a reminder for you.

Now that you have the information you need, you have the right to vote for or against the work. Each flat in the building has one vote\*\*.

It's important to be aware that if you vote for the work to go ahead, you are also agreeing to pay your individual share of the overall costs. You should also know that, even if you vote against the work, you will still have to



pay your share of the cost of the work if it goes ahead.

The advantage of the Council arranging the work on your behalf is that you don't have to pay any VAT on your share of the cost. This means that you save 20 % on the cost of the work. If you or any other owner in the building organised the work yourselves, you would all have to pay VAT on your share of the costs.

## Step 3

Once the three-week voting period is over we'll write to you, let you know the outcome and what can happen next.

If you disagree with the majority decision, you have the right to go to court and ask for the decision to be overturned. You must apply to Perth Sheriff Court within 28 days of the date of the letter. Please seek legal advice from your own solicitor if you

need further guidance. There are detailed rules about the appeal process which your solicitor can explain to you.

If no-one has appealed within the first 28-day period, then the work will go ahead.

If you want to appeal we would strongly recommend that you talk to your solicitor.

We will write to everyone with the outcome of any appeals.

## Step 4

On the satisfactory completion of the work, the Council's Sales Ledger Team will send you an invoice for your share of the costs.

The invoice will state that payment is due on receipt, and if you have any difficulties in making this payment at this time, please contact the Sales Ledger Team to discuss further.

If you are an existing customer of Perth & Kinross Council it is possible to make payments in advance of this invoice being raised. If you would like to explore this option, you should contact the Sales Ledger Team to discuss on 01738 477440.

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

**[www.pkc.gov.uk](http://www.pkc.gov.uk)**

*(PKC Design Team - 2016395)*

\* Under the Tenements (Scotland) Act 2004, we have to run what is known as a Tenement Management Scheme for every building that has a mixture of flats owned by us and by private owners such as you. This scheme allows for the voting process when work needs to be done.

\*\* If there are two or more owners of one flat, a joint decision must be made on which way to vote.