
From: [REDACTED]
Sent: 26 July 2017 11:17
To: [REDACTED] <[REDACTED]@stirling.gov.uk>
Cc: [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>
Subject: Landlord Registration - Joint ownership question on Property at [REDACTED] - Tenements Scotland Act Query - [REDACTED] Stirling council - 26 July 2017

[REDACTED]

Further to our phone call in which you indicated that this case is currently under investigation by Stirling Council I attach a copy of the enquiry from [REDACTED], Family & Property Law team at the Scottish Government. From the points you have indicated in our phone call you may have already seen the extracts from the register of sassiness and the landlord registration public register, therefore I do not envisage any difficulties with sharing this information.

I would be pleased if you could indicate that an investigation is under way and I will then provide a line to the Family and Property Law team along the following lines.

“neither Ministers nor their officials are able to provide legal advice or intervene in individual cases which are being investigated in connection with the implementation of Landlord Registration, under Section 8 or the Anti-Social Behaviour Scotland Act 2004.”

Please let me know if you have any comments that you wish to include on any response to [REDACTED].

[REDACTED]

Private Rented Sector Team
Scottish Government
Better Homes Directorate
Housing Services Policy Unit
Phone : [REDACTED]
Email: [REDACTED]
Area 1H South Victoria Quay, Edinburgh, EH6 6QQ

From: [REDACTED]
Sent: 26 July 2017 08:22
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Tenements Scotland Act Query [REDACTED]

Hi [REDACTED]


Please see below email and attachment from [REDACTED]

You will note from the attached title sheet the property at [REDACTED] appears to be jointly owned by both [REDACTED] and [REDACTED] yet a search of the landlord register shows only [REDACTED] as the registered landlord and the property appears to have no joint owner. Should the register show joint owners if they are listed on the title sheet? Also, if someone jointly owns a property is it ok for only one of the owners to be the registered landlord?

If you have any lines on this issue, that could be included in my response, it would be appreciated.

Regards
[REDACTED]

[REDACTED]
Family & Property Law
[REDACTED]

 Please respect the environment by printing this e-mail only if you have to; double sided and/or two sides to a page if possible.

From: [REDACTED]

Sent: 03 July 2017 18:24

To: [REDACTED]

Subject: Tenements Scotland Act Query [REDACTED]

Dear Sandra

Thanks for your time earlier. Further to our conversation, here is a summary. Any advice your colleagues could give would be hugely appreciated.

I have all 3 sets of deeds but they lack detail around required timings of/standards regarding maintenance.

Tenement Scotland Act 04 - 1 vote each

- 3 flats in the close I bought GFL in 2012

 GFR is tenanted with Landlords residing in Spain.
 The one large upper flat is owner occupied.
- Under the Tenements Scotland Act 04, I understand each flat is entitled to 1 vote. However, this puts me at an enormous disadvantage, being alone in prioritising proper maintenance over 'budget' solutions - or no solutions. I will continue to be outvoted by the other two and as such, feel powerless to keep the building presentable, safe and fit for purpose.

What I need to know is whether I can implement a 3-way legally binding Maintenance Plan to ensure the building is safe and properly looked after.

(The Standards under the Act and the examples listed on the attached Maintenance Schedule I'm sure, are not being met.)

Serious Concerns

I've lived in previous tenements with no problems of this sort whatsoever. Usually owners understand the importance of 'a stitch in time...!'

a/ Identification of unearthed electrics (fatal, apparently): I offered my electrician to the other 2 flats but this was declined. The upper flat said her electrician who's been doing work there 10 years was horrified that he could've been killed. I have no confidence in their choice of tradesman. The box in the hall has been open for at least 5 years and he'd have to walk right past it on his way upstairs.

b/ Mortice lock fitted to the communal close, without prior consultation (by the landlord of GFR) Although I've emailed and phoned Stirling Council's landlord team about the lock, I await a response. I resorted to calling the fire service asking what the regulations were. They said it was actually illegal so I arranged for a proper Yale lock to be fitted along with a weatherbar to prevent any further water flow into the close (The old one fell off and disappeared some time ago.)

Stirling Council Landlord Team

I can't get a response from them about the Lock despite calling the office, leaving messages, emailing the individual direct and forwarding the related correspondence from my neighbours.

In 2013, *(having been hounded by solicitors and receiving a Court Summons for both flats' shares of a communal repair)*, I discovered that to serve papers on either flat, I required a postal address. With further repairs on the horizon in 2015, I called for a listing for GFR [REDACTED] [REDACTED] (the only contact and email name residents provided to me), should she decide to delay, not call me back again or not pay at all. There was no listing for her as a landlord.

I paid for the property's deeds (attached - confirming joint owners as [REDACTED] & [REDACTED]) and forwarded these to [REDACTED] personally. She assured me this oversight would be remedied.

Below: To date, despite finding a new Council contact and re-sending her the deeds Dec 2015 and chasing it up, the register remains in [REDACTED] sole name, falsely stating there is no joint owner.

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From: [REDACTED] <[REDACTED]@stirling.gov.uk>

Sent: 03 August 2017 12:10

To: [REDACTED] <[REDACTED]@gov.scot>

Subject: Landlord Registration - Joint ownership question on Property at [REDACTED] - Tenements Scotland Act Query - [REDACTED] to [REDACTED] Stirling council - 26 July 2017

Thanks for letting me know – also, just to update you – the joint owner in question has finally made an application and is now registered as the joint owner for the property. I'll email [REDACTED] to advise her.

Thanks again

Private Rented Housing Team

01786 237678

Private Rented Housing Enforcement Officers –

Admin Support Officer

Service Co-ordinator

Room 10
Allan Water House
Kerse Road
Stirling
FK7 7SG

From: [REDACTED]@gov.scot [REDACTED]

Sent: 03 August 2017 12:05

To: [REDACTED] <[REDACTED]@stirling.gov.uk>

Subject: RE: Landlord Registration - Joint ownership question on Property at [REDACTED] - Tenements Scotland Act Query - [REDACTED] to [REDACTED] Stirling council - 26 July 2017

Thanks for the e-mail I haven't heard anything myself but they may have responded to [REDACTED] directly?

[REDACTED]

Private Rented Sector Team
Scottish Government
Better Homes Directorate
Housing Services Policy Unit
Phone : [REDACTED]
Email: [REDACTED]
Area 1H South Victoria Quay, Edinburgh, EH6 6QQ

From: [REDACTED] ([REDACTED]@stirling.gov.uk)
Sent: 01 August 2017 11:58
To: [REDACTED]
Subject: RE: Landlord Registration - Joint ownership question on Property at [REDACTED] - Tenements Scotland Act Query - [REDACTED] to [REDACTED] Stirling council - 26 July 2017

Hi [REDACTED]

Just checking with you that my colleague responded to you about this ongoing investigation?

Thanks

[REDACTED]

Private Rented Housing Team
01786 237678

Private Rented Housing Enforcement Officers –

[REDACTED]

Admin Support Officer

[REDACTED]

Service Co-ordinator

[REDACTED]

Room 10
Allan Water House
Kerse Road
Stirling
FK7 7SG

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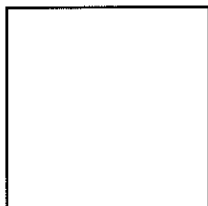
Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadaichte a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo le gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh, leig fios chun neach a sgaoil am post-d gun dàil.

Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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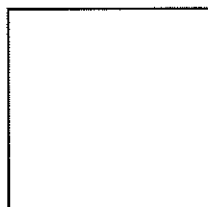


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