

**ASK AN EXPERT**

email [s.mclean@dailyrecord.co.uk](mailto:s.mclean@dailyrecord.co.uk) with all your consumer queries

**My private landlord won't fix my heating. What can I do?**

Dealing with an uncooperative landlord or letting agent is an all-too-common issue. Knowing your rights is the best way to ensure they deal with any property issues that may arise.

Private landlords have legal duties when it comes to carrying out repairs and must fix any appliances that they have provided.

That doesn't necessarily mean they must provide new or more efficient ones. However, if the heating is so inadequate that the house doesn't meet the tolerable standard, you can request for your landlord to improve the heating system.

If there are any issues with the heating, it's important to report this to your landlord immediately.

If your landlord keeps delaying the process, the next step is to report the matter to your local council and make an application to the First Tier Tribunal (Housing and Property Chamber) Scotland, which has the power to compel landlords to carry out repairs. It can be contacted on 0141 302 5900 or by visiting [www.housingandpropertychamber.scot](http://www.housingandpropertychamber.scot)

You may also wish to consider paying to have the repair completed yourself and reclaiming the cost from the landlord.

However, if you decide to follow this course, exercise caution, as court action may be required if the landlord refuses to accept the bill.

Withholding rent is another option but should also be carefully considered. It could lead to a drastic deterioration in relations with your landlord and potentially even eviction proceedings.

If you decide to withhold rent, it's a good idea to deposit the money in a separate bank account so it can be transferred as soon as the repairs have been carried out.

There is also the opportunity to claim compensation from the landlord for any inconvenience or additional expense the situation has caused. This may be something like higher



energy bills through the use of electric heaters.

Keep a clear record of any costs incurred due to the issue.

Knowing your rights and maintaining a record of any correspondence are key in ensuring that you get the most out of your landlord.

**The builder I hired hasn't finished the work agreed. What can I do?**

Direct honesty is always the best policy, so talk to them to try to come to an agreement.

If possible, gather up any paperwork, take photos and make a note of relevant dates and times.

Any evidence only helps to strengthen your case.

Unless you originally specified a date for the completion of the work, you have to provide the builder with a second chance.

However, it's always a good idea to put this in writing to them.

If you did specify a date, or you don't want them to carry on working, send a letter so you have a record of correspondence.

Pay for any work completed but feel free to ask for a discount due to the inconvenience caused.

If you are unable to come to an arrangement, check if they are a member of any professional bodies as they may offer a conciliation service.

Always consider court action as a last resort.

Under Scottish Law, if the amount of money in dispute is less than £5000, you can use the small claims court.

You won't need a solicitor and the hearing will be relatively informal.

However, you will be required to pay for any fees related to the filing of the claim.

◆ You can access free, impartial advice on any topic from Advice.Scot by contacting 0800 800 9060 or by visiting [www.advice.scot](http://www.advice.scot) ◆ If you've exhausted all other options, visit [www.scotcourts.gov.uk/taking-action/](http://www.scotcourts.gov.uk/taking-action/) simple-procedure to pursue a claim.



**FAMILY HOME** Heatherlea, the house on Eday where the Alexanders settled in the late 80s

**IT WAS 1988 and a Glasgow GP was about to discover what being a general practitioner really meant.**

Malcolm Alexander had accepted a job on Eday, on the edge of the Orkneys. Just him, a rickety surgery with a dilapidated house attached and 125 residents. All relying on him for all their 24/7 medical care.

First of all, he had to get there with his wife Maggie, their four boys aged under six, three geese, six ducks, a rabbit, a guinea pig and a dog.

Then, he had to get the hang of life on a tiny, sparsely populated island where everyone had several jobs and knew everyone else's business.

The urban practice where he saw children with coughs, the worried well and referred anyone with a serious condition was soon a distant memory.

Malcolm recalled: "It really felt like the top of the world.

"At night it was completely dark, there was no electric light at all. We could watch every star rise on the horizon.

"It gave me a huge amount of confidence medically, I learned an enormous amount."

Take away the threat of attack and it's not unlike being a battlefield surgeon, alone in a tent facing whatever comes through the door.

He said: "The emotions are the same – I don't want to fail, I will not fail, I will do the best I can for this patient based on what's around me."

Malcolm, now 62 and retired, has written a book, *Close To Where The Heart Gives Out*, about his first year on Eday.

It was about as steep a learning curve as the Old Man of Hoy on a snowy day.

Some of the things he had to learn were practical.

How to light a Tilley lamp when there's a power cut. How to spin a plasma sample in a centrifuge before sending it to the lab in

Kirkwall for testing. The nuts and bolts of running a medical one-man band on a remote island.

Others took a bit more figuring out. In the run-up to Christmas, he



**RURAL ADVENTURE** Malcolm's wife Maggie and their children with the family's pet goats

# Quack of all trades

When Malcolm became an island GP, he did not realise he'd have to double up as a vet and stand-in minister, **Anna Burnside** reports



**RESCUE SCENE** The pier at Eday where Malcolm had to come to the aid of a stranded baby seal. Left, a fishing boat off the island



doctor's main job was to give them a run home.

Eventually, it dawned on Malcolm that the way out of becoming Eday's free taxi service was to tell the distressed drivers that he could charge their insurance company for an emergency call-out and that he should also inform the police what had happened.

Mysteriously, the "accidents" stopped.

On an island where everyone multi-tasks, all eyes were on the doctor to see what else he could turn his hands to.

The minister was off sick and his stand-in had left for the winter, so Malcolm was asked to lead the Sunday

service on the church regular all that." When co-opted in school to in comparative Maggie w another me

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had a run of calls to road traffic accidents.

The drivers, invariably the worse for wear, had gently come off the road and into a ditch.

They were never hurt and the