

SPSO decision report

Case: 201003286, Albyn Housing Society Ltd
Sector: housing associations
Subject: policy/administration
Outcome: some upheld, recommendations

Summary

Mr C is a tenant of Albyn Housing Society Ltd (the Society). He moved from one of their properties to another. He said that before he moved out they inspected the house he was leaving and did not find any problems. After he moved, they carried out a further inspection and decided that the kitchen and bathroom needed a 'hygiene clean'. They did this and billed him for the cost. Mr C complained that the Society did not give him the chance to question the decision to clean the house. He also said they applied inconsistent standards as the property to which he moved was not cleaned to a similar standard.

We asked the Society for their complaint file, relevant documents and procedures. After seeing these, we decided not to uphold Mr C's complaint. We took the view that the Society were entitled to use their professional judgment to make the decision to charge for the cleaning and there was no evidence that they had not followed the proper process when doing so. Nor did the Society need to tell him in advance about the decision to clean the house. Mr C had signed a document acknowledging that this would happen and that he would be charged if he did not leave the property in a suitable state. As the same officer carried out the post-inspection reports on both properties, we also believed that it was unlikely that different cleaning standards had been applied.

Mr C also said that the Society did not act appropriately on financial aspects of the cost of cleaning and did not handle his complaint properly, including not telling him the date of his appeal. We upheld both of these complaints. We found that the Society did not provide all relevant information about charges and that they should have checked their invoice before sending it to him. They also took payment of the amount due by deducting it from rent that Mr C had overpaid, rather than offering him the opportunity to repay it in another way, and they had not repaid a small amount that they agreed to refund after considering his appeal. There were delays in complaints handling and they did not contact Mr C about his offer to attend the appeal meeting, nor tell him when it was to be held.

Recommendations

We recommended that the housing association:

- put steps in place to ensure that they check, approve and, where appropriate, clarify the charges on invoices before they send them to tenants. Any additional information obtained should then be passed on to tenants;
- put steps in place to ensure that they contact tenants before they deduct monies due to them from refunds that are due to tenants. They should offer tenants the opportunity to make the payment by another method;
- refund a small sum in mileage charges that they agreed Mr C should not have to pay; and
- write to Mr C to apologise for failing to contact him about his offer to attend the Complaints Committee and for failing to provide him with enough detail about the Committee's decisions.