

SPSO decision report

Case: 201102588, West Lothian Council
Sector: local government
Subject: building warrants: certificates of completion/habitation
Outcome: not upheld, no recommendations

Summary

Mr C complained that when his home was built in 1998 the council issued a completion certificate. This is a document that must be verified by the planning authority. It certifies that the work is complete and in accordance with the building warrant and relevant building regulations. He said that the council did not take reasonable steps to check that the building complied with the conditions on which the building warrant was granted. Mr C was also unhappy at the way the council handled his complaint when he raised the matter with them at the end of 2010.

Mr C had contacted the council in 2001 when he became aware that there were faults in relation to the windows and that water was coming into the property. He said that the council were unhelpful and did not identify any problems at the time. Mr C also took this up with the builder and the National House-Building Council (NHBC - a housebuilding standards company) and most of the faults were fixed.

We found that the problems that had evolved over time at Mr C's property appeared to be mainly workmanship issues that he appropriately took up with the builder and NHBC. We found no evidence to support his view that the council had inappropriately issued the completion certificate.

We also found that the council had acknowledged and responded to several emails Mr C had sent in relation to his complaint. We found that they responded to his complaint within a reasonable length of time, but reminded the council of the need to keep complainants up to date on progress and to give details of when they could expect a full response to the issues raised.