

## SPSO decision report

**Case:** 201102824, Fyne Homes  
**Sector:** housing associations  
**Subject:** terminations  
**Outcome:** not upheld, no recommendations

### Summary

Mr and Mrs C complained that they were unreasonably held liable for a month's rent by a housing association because they did not give the required notice of their intention to leave the property. They said that they gave notice to leave by handing in a letter to the association's reception desk. They also complained that the association failed to tell them about arrears about which they were eventually made aware by a third party.

The association said they had no record of receiving a letter. Mr and Mrs C provided us with a copy of the letter they said they handed over, but had no receipt to show that it had been delivered or accepted. The member of staff to whom Mr and Mrs C said they gave the letter could not remember receiving it. Mr and Mrs C also said that staff knew they were leaving but the information gathered during the investigation of the complaint indicated that the association were not aware of Mr and Mrs C's intention to leave until the day they handed in their keys.

There were differing accounts of what happened, and we could only use the available evidence to reach our decision. Although, therefore, we did not disbelieve Mr and Mrs C's account of events, as there was no independent evidence to support their position we could not uphold their complaint. We also found that the association acted in line with their policy and procedures.