

SPSO decision report

Case: 201103075, West Lothian Council
Sector: local government
Subject: repairs and maintenance of housing stock (incl dampness and infestations)
Outcome: not upheld, no recommendations

Summary

Mrs C owns a flat in a block of four. One of the other flats is also privately owned and the council own the remaining two. Mrs C complained about a number of issues relating to property maintenance and repairs. These included that: the council did not provide her with information about their responsibility for undertaking work; there was damage to her property and the council failed or delayed in fixing this; and the council failed to carry out repairs that she had reported to them. Mrs C also complained about the attitude of council staff, both towards her and to the handling of her complaints.

We did not uphold Mrs C's complaints. When we investigated, the council told us that they had no agreement with Mrs C about repairs. They explained their usual practice when common repairs are reported to them or when improvements are undertaken in a property which is both tenanted and occupied by owners. They said that an owner could arrange for works to be done and to submit a quote to the council for consideration of reimbursement of the costs, as Mrs C had done in the past. They also provided us with evidence that they had either undertaken repairs in common areas or that these were in hand for a future maintenance programme.

We did not uphold Mrs C's complaint about council staff, because it was clear that she had not pursued this at the time as a formal complaint. Neither the staff recollection of events nor the record of Mrs C's contact with them suggested grounds for a complaint. We also found no evidence to suggest that the council failed to respond to Mrs C's complaints. We did find that they could have explained more clearly that their investigation did not look at new matters that she had raised that were not part of her formal complaint to them. However, we were satisfied that the council investigated the issues that Mrs C raised in her formal complaint.