

SPSO decision report

Case: 201103920, Link Housing Association Ltd
Sector: housing associations
Subject: policy/administration
Outcome: not upheld, recommendations

Summary

Ms C complained to us about her rent account, including that the association refused explain how her rent was calculated; refused to clear her rent account balance to zero; refused to refund payments made for alleged rent arrears; and refused to refund payments made by overcharging her for rent. We found that they had given advice at the outset about how the rent was calculated; and that changes in the rent due were a direct result of a reduction in her housing benefit. Arrears had arisen because she had not paid the shortfall. The association confirmed that if Ms C's appeal about her housing benefit was successful, and the local council made a refund of backdated benefit, they would act promptly to credit her rent account.

Ms C also said that the association's welfare rights team failed to provide her with a reasonable service but the evidence showed that they had explained their role, both in emails and in conversations with Ms C. They had explained why they could not help her pursue her complaint that housing benefit had been reduced in error, and confirmed to her that she was pursuing the correct course to appeal about the decision.

Our investigation found that the association had served Ms C with a notice to quit on three occasions, but these were not eviction notices and were served when a tenant was in arrears by a month's rent. This was in line with the process at the time but we noted that the association changed their practices in July 2011. They now only serve notice to quit when they intend to take legal action.

As part of our investigation, we check whether the body has investigated the complaint in accordance with their own complaints procedure. In this case, we found that they had decided not to offer Ms C the chance to take her complaint to a complaints panel. The association accepted that this was incorrect.

Recommendations

We recommended that the association:

- send a formal apology for not responding appropriately to Ms C's complaint;
- send a letter of explanation and formal apology to Ms C for failures in the handling of her complaint; and
- provide Ms C with an opportunity to take her complaint to a complaints panel, should she so wish.