

## SPSO decision report

**Case:** 201104450, Falkirk Council  
**Sector:** local government  
**Subject:** common repairs to former council houses  
**Outcome:** not upheld, action taken by body to remedy, no recommendations

### Summary

Mrs C bought her council house and is one of only two owner-occupiers in a block of eight flats. She said that the council carried out work to her house without permission, failed to detail the work that would be carried out, failed to discuss the proposed works with her and how she would finance these, and failed to give her the opportunity to obtain quotes for the works. The council, in responding to their tenants' reports of water leaks and dampness, had surveyed three blocks that they owned. The survey recommended substantial upgrading works to the rendering and roof. The council considered that as majority proprietor, under the terms of the title deeds they did not need the agreement of the owner-occupiers to instruct the works.

Our investigation found that the title deeds granted the council those powers, and that the nature of the work was disclosed shortly before it started. The council put the works out to tender with an estimated cost to each owner of more than £9,000. The maintenance of the building was a joint responsibility. After accounts were issued, the council offered a deferred repayment scheme over two years and recommended that Mrs C seek independent financial advice. Although Mrs C was unhappy at being faced with such a large bill shortly after becoming an owner, we did not uphold any of her complaints. We noted that the council, in the light of her complaint, had taken steps to improve communication with owners.