

## SPSO decision report

**Case:** 201103017, Aberdeen City Council  
**Sector:** local government  
**Subject:** building warrants: certificates of completion/habitation  
**Outcome:** not upheld, no recommendations

### Summary

Mrs C complained that the council failed to properly inspect her flat to ensure that it complied with the terms of a building warrant. The flat was renovated in the late 1990s and Mrs C purchased the property in 2004.

On receipt of the complaint the council inspected the area of concern and agreed that it did not comply with the original building warrant. However, as the fault could not be detected without an external inspection (and the feature concerned was at some height on the building) they concluded that it was not reasonable for this to have been detected when carrying out the original inspection in 1996. They suggested that Mrs C contact the original developer to ask them to remedy the problem.

Mrs C complained to us that the council should have detected this problem in 1996. Our investigation found that the developer had certified that the works were carried out in compliance with the building warrant. As we took the view that the council had undertaken a 'reasonable inspection' at the time, and, therefore, had complied with their legal duties, we did not uphold the complaint.