

## SPSO decision report

**Case:** 201200710, Aberdeen City Council  
**Sector:** local government  
**Subject:** finance - rent  
**Outcome:** not upheld, no recommendations

### Summary

Mr C, who is a council employee, is also a council tenant living in a property that was 'tied' to his employment. He complained that the process followed by the council, prior to increasing the rent on what were formerly tied properties, did not comply with their responsibilities in terms of the Housing (Scotland) Act 2001 (the Act). In addition, he complained that the council failed to obtain written agreement, between landlord and tenant, before varying the terms of the tenancy, again, in breach of the Act.

When we examined the complaints it became clear that both parties had different interpretations of the Act and that to reach a clear view, a decision would need to be made on which interpretation was correct. As this can only be determined by the courts, we were unable to uphold the complaints.