

## SPSO decision report

**Case:** 201202156, South Lanarkshire Council

**Sector:** local government

**Subject:** council tax (incl community charge)

**Outcome:** upheld, recommendations

### Summary

Ms C inherited a property from her mother, who had died unexpectedly. Unable to sell it, Ms C decided to rent the property out. She complained that the council had unreasonably held her liable for council tax during periods for which exemptions should have been granted. She said the council had pursued her relentlessly and had taken recovery action unreasonably when she had already provided all the information they had asked for.

We upheld all Ms C's complaints, as we agreed that the council took too long to resolve this. They missed the opportunity to reply to letters from Ms C in which they could have clarified that information, which Ms C clearly believed had been sent, had not in fact been received. We concluded that the council were also responsible for creating unreasonable confusion. Not only had they failed to clearly explain that information had not been received when Ms C repeatedly said it had been sent, they requested information which had already been provided, and did not send the correct exemption form. We concluded that the council should not have pursued debt recovery action when they had missed an opportunity to explain clearly to Ms C what information they still needed from her.

### Recommendations

We recommended that the council:

- apologise for the distress caused by their administrative shortcomings;
- review arrangements in the council tax and revenues team for reviewing and responding to correspondence to ensure that customers receive a high quality and responsive service; and
- review any costs to Ms C arising from the recovery action taken by the council for the period in question and consider whether any reimbursement is warranted.