

## SPSO decision report

**Case:** 201202385, Midlothian Council  
**Sector:** local government  
**Subject:** applications, allocations, transfers & exchanges  
**Outcome:** some upheld, no recommendations

### Summary

Mrs C complained that the council unreasonably refused a tenancy succession request she made when her grandfather died. The council said that the property was not Mrs C's principal or only residence at the time of her grandfather's death and, therefore, she was not legally entitled to succeed the tenancy. The evidence we found during our investigation supported this and we did not find any fault in the way that the council arrived at their decision.

We did find that the council took too long to deal with Mrs C's complaint, but as they had already changed their complaints procedure and were in the process of retraining staff, we did not make any recommendation about this.