

## SPSO decision report

**Case:** 201202656, Fife Council  
**Sector:** local government  
**Subject:** repairs and maintenance  
**Outcome:** upheld, recommendations

### Summary

Mr C had to move from his previous council tenancy and, at short notice, was offered the tenancy of another house in a different town. Mr C said that he, his partner and several friends worked hard to clear his former tenancy and leave it in a tidy state, but admitted that they had left two plastic bags of rubbish in the bathroom. Some seven weeks after the move, the council sent Mr C an invoice for works carried out by a contractor to clear and clean Mr C's former home. Mr C disputed this through a firm of solicitors and then pursued a complaint through the council's procedures. In the interim, the council put the non-payment of the invoice in the hands of recovery agents.

Our investigation found, on balance, that the council had unreasonably issued the invoice. They had taken digital images some two weeks after Mr C moved out, but these were undated and did not conclusively identify the property. Mr C maintained that several of the images (which the council disclosed following an information request) were not of his former home. We also found that the council did not deal reasonably with Mr C's complaints.

### Recommendations

We recommended that the council:

- reconsider in the light of information from our investigation whether there are grounds to reduce the sum claimed in their invoice;
- ensure that when digital images are taken on termination of a tenancy, these are imprinted with the date and a means of verifying that date and identifying the property; and
- apologise to Mr C for their shortcomings in handling his complaint.