

## SPSO decision report

**Case:** 201203796, Prospect Community Housing  
**Sector:** housing associations  
**Subject:** repairs and maintenance  
**Outcome:** not upheld, recommendations

### Summary

Mr C raised concerns about the way in which the association dealt with a leak from his flat into his downstairs neighbour's property. He said they failed to identify the real cause of the leak as a broken pipe and unreasonably issued him with an invoice for the repairs. In reaching our decision on this complaint, we considered only whether the association followed their procedures and whether their actions were reasonable (as it was not for us to determine what caused the leak into the downstairs flat).

The evidence showed that, in determining the cause of the leak, the association considered various evidence, including a statement from the plumber who investigated the problem. The wood under the tiles on Mr C's bathroom floor was found to be soaking wet, including in areas where there were no pipes. Although Mr C thought that the plumber found a leak behind the sink, the association explained that the plumber said that this happened during his investigation on his final visit and he had fixed it within 15 minutes. He found no existing leaks in the pipes, and the association concluded that the damage had been caused over time by the way Mr C was bathing. They also provided six photographs showing water leakage over much of Mr C's bathroom floor. We found that as the association had decided that the cause of the water entering the downstairs property was excessive water being spilt on Mr C's bathroom floor, and not a leak from a pipe, their decision to invoice him for repair costs was in line with procedure. We did not uphold his complaint as the evidence showed that the association followed their procedures and that their actions were reasonable. We did, however, make a recommendation as the association did not have a record of all the repairs visits made to Mr C's property.

### Recommendations

We recommended that the association:

- feed back our decision on this complaint to their staff in order to ensure better record-keeping in future.