

SPSO decision report

Case: 201300607, Castle Rock Edinvar Housing Association
Sector: housing associations
Subject: repairs and maintenance
Outcome: some upheld, recommendations

Summary

Ms C complained about the length of time that the housing association took to complete repairs to her flat. She had moved into her property in December 2012 and had been in contact with the association from then on about repairs, before eventually making a formal complaint some three months later. At that point the association agreed to the works to be done and closed Ms C's complaint. However, Ms C then submitted a new complaint that her home had not met the standards that the association set for their properties. Because of this she said she wanted a refund of her rent up until that time.

The association upheld this complaint and acknowledged the delays in carrying out repairs. They offered Ms C a lesser amount of compensation but Ms C did not feel that this was appropriate. She told the association about the difficulties the delays had caused her in her particular circumstances and maintained that she should be entitled to a full rent rebate. Although the association's final response confirmed their earlier decision to uphold Ms C's complaint, confirmed that her home had not met their standards, and increased their offer, they did not agree to refund the rent in full.

We found evidence that the delays in having the repairs completed were unreasonable and so we upheld Ms C's complaint. However, we do not have the legal power to question the association's decision of how much compensation to award, unless there is some evidence of fault, omission or failure on their part in making that decision. We did not find this in Ms C's case, as the association had made their award based on the 'right to repair' regulations.

Recommendations

We recommended that the association:

- confirm to us that any repairs outstanding from Ms C's complaint have been completed.