

SPSO decision report

Case: 201302417, Trust Housing Association Ltd
Sector: housing associations
Subject: communication, staff attitude, dignity, confidentiality
Outcome: not upheld, recommendations

Summary

Ms C's grandmother (Ms D) had lived in accommodation owned by the association, but moved to a nursing home. When the tenancy ended, Ms C visited and arranged for a courier to pick up some of her grandmother's possessions. These were items of sentimental value that Ms C wanted to put in storage, as she lived overseas. The association arranged to have the flat cleared and when the courier arrived, some of the items Ms C had hoped to keep were no longer in the flat.

Ms C said that she had made the association aware of the items she wanted to keep, and so they had known these were being kept separately in a cupboard. However, the association said that the lease made it clear that it was the tenant's responsibility to clear a flat (although they could arrange this for a charge) and that they had not known how many items were to be retained. They also said that it was not their responsibility to ensure that Ms C's courier was able to pick these up.

Although the paperwork did indicate that the association knew Ms C wanted to keep some items, we found that this had been based on a verbal discussion. In addition, our investigation found that the association's policy confirmed that it was a tenant's responsibility to clear their property. Although we sympathised with Ms C's position and recognised her loss, we did not uphold her complaint. However, in light of the difficulties that Ms C indicated she had contacting the association from overseas, we made two recommendations.

Recommendations

We recommended that the association:

- take steps to document (for example, a brief internal note), in appropriate circumstances, that they have explained that they cannot be responsible for items left in a property following a tenancy's termination; and
- take steps to ensure, if practical with their staffing arrangements, that their coordinator's email 'out of office' reply details a named point of contact in his/her absence.