

SPSO decision report

Case: 201304403, Glasgow City Council
Sector: local government
Subject: council tax
Outcome: not upheld, no recommendations

Summary

Mr C complained that the council were seeking to recover outstanding council tax for a property he rented in 2010. He was unhappy because before terminating the lease he had contacted the council and was told that, as the lease was for less than six months, the landlord would be responsible for the council tax. He explained that he had not got back his deposit on the flat, as the landlord had said they would use it to pay any outstanding council tax. The landlord did not, however, do so.

In response to his complaint, the council acknowledged that they gave Mr C inaccurate information when he contacted them. However, they said that after this call they had obtained copies of his lease, which showed it was a six month contract and not a shorter one, as had been understood from the earlier contact. As the lease was for six months, Mr C was due to pay the council tax, even if the lease was terminated early.

We considered the information provided by both Mr C and the council. We were satisfied that the original lease had been for six months and so the council were entitled to seek council tax from him, and not the landlord. Although we could see that they had told Mr C that he would not be liable for council tax as the lease was under six months, we could not say whether they told him this in error, or because he did not give full details of the original lease. As Mr C was liable for the outstanding council tax, and as we could not determine the basis on which the council advised him that he would not be liable, we did not uphold his complaint.