

SPSO decision report

Case: 201304959, Glasgow Housing Association Ltd
Sector: housing associations
Subject: neighbour disputes and anti-social behaviour
Outcome: some upheld, no recommendations

Summary

Ms C complained that the association had not responded reasonably when she reported noise nuisance from her neighbour, or when another neighbour replaced a section of her boundary fence without prior warning. She also said that an officer had contacted her on her mobile phone without prior agreement that she was happy with this means of contact.

We did not uphold Ms C's complaint about noise. We found that the association had followed their policy on neighbour relations and had worked with Ms C's neighbour and family to try to mediate. They had referred Ms C to the council's noise team, and explained that they could not take action against her neighbour without corroborated evidence, and that they had no evidence of excessive noise. They clearly explained how and to whom excessive noise should be reported when it was happening.

We also found that their response about the fence was reasonable. The neighbour had not told the association or Ms C that they intended replacing some storm-damaged fencing. When Ms C reported that there were workers in her garden she had not expected, but did not receive an immediate response. The association were not, however, required to respond immediately. They did later check the new section of fencing and establish that it was of a sufficient standard, and they offered to have it painted to match the existing fence.

We did uphold the complaint about the phone call. We found that the association should have checked that Ms C was happy for them to use the phone number in question and whether she was expecting a return call. As they had already acknowledged that Ms C had not asked for a return call, upheld her complaint and apologised to her, we did not find it necessary to make any recommendations.