

SPSO decision report

Case: 201401428, Private Rented Housing Panel
Sector: Scottish Government and devolved administration
Subject: complaints handling
Outcome: some upheld, recommendations

Summary

Mr C's wife (Mrs C) is a landlord. Mr C complained on her behalf about the way the panel handled a referral made to them by her tenant concerning the landlord's duty to meet the repairing standard under the Housing (Scotland) Act 2006. Mr C was unhappy with the administrative handling of the matter and complained that, by the time he was advised about the referral, the tenant had left the property and the repairs required to the property had been completed. He was also unhappy with the handling of his correspondence, that the panel had failed to advise him of progress on the case, and that they had failed to notify him about the possibility of mediation. He also complained that they had failed to deal with his complaint under their complaints process.

The panel are subject to legislative provisions which govern their procedures. We were satisfied that based on the available evidence the panel had processed the referral made to them by the tenant in line with relevant legislation and did not uphold the complaint. The panel had accepted that they had failed to reply to some correspondence and, as a result, had failed to keep Mr C advised of progress on the matter. We were, however, satisfied that in this case, mediation had not been appropriate. Finally, while the panel had responded to Mr C's complaint, we noted that they had failed to clarify what stage in their process Mr C had reached and failed to advise him of his right to come to this office at the conclusion of the process.

Recommendations

We recommended that the panel:

- remind staff of the need to explain to complainants early in the process what stage their complaint is at and ensure they are notified of their right to complain to the SPSO at the conclusion of the complaints process.