

SPSO decision report

Case: 201406379, Home Scotland
Sector: housing associations
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Mrs C complained that when she terminated her tenancy she was only paid compensation for some of the improvements she had made to her former home. In particular, the housing association told her that the conservatory she had erected did not qualify for compensation.

Our investigation found that conservatories were not listed as being an improvement qualifying for compensation in either the legislation (Housing (Scotland) Act 2001) or in the association's internal guidance based on the legislation. Mrs C maintained that she had been told verbally by more than one employee of the association that she would receive compensation. However, there was no written evidence of this. The letter giving Mrs C permission to erect the conservatory did not make any reference to compensation.

When Mrs C submitted her claim for compensation the association considered it in light of the legislation and guidance. They also took legal advice on whether the conservatory would qualify for compensation. Our view was that the association took reasonable action to consider Mrs C's claim, and so we did not uphold the complaint.