

## SPSO decision report

**Case:** 201500524, Fife Council  
**Sector:** local government  
**Subject:** sheltered housing and community care  
**Outcome:** some upheld, recommendations

### Summary

Mr C complained that the council failed to provide his father, who was a resident in a sheltered housing complex, with a reduction in his rent as they indicated they would, in recognition of the additional disturbance caused to him by works being carried out at the sheltered housing complex. He was of the view that they failed to take appropriate steps to address the disturbance caused by these works and failed to deal appropriately, and within a reasonable time frame, with the request for rent reduction.

We found that the council had offered Mr C's father a decant to another property for the period of the major renovation works but he had refused this offer. They paid a disturbance allowance to all residents in recognition of the works, and arranged for new residents facilities and alternative eating arrangements when the lounge was closed and the in-house meals service was terminated. Following Mr C's complaint to the council, they also agreed to make a further payment for the additional level of disruption. We found that they had taken into account the disturbance caused to Mr C's father and made appropriate offers to recognise this. However, we also noted the council's suggestion that a waiver or reduction of Mr C's father's rent for this period was being seriously considered. We felt that the council's correspondence did not clearly highlight that this was a possibility and not a likelihood. In addition, it took the council almost seven months to reach a decision on this point, by which time, Mr C's father had died. As a result of the lack of clarity in their communication, and the significant delay in reaching their decision on the rent reduction, we upheld this aspect of the complaint and recommended that the council write to Mr C to apologise for the failings identified.

### Recommendations

We recommended that the council:

- apologise to Mr C for the lack of clarity in their consideration of the possibility of a rent reduction/abatement and for the significant delay in reaching a decision on additional disturbance payments.