

SPSO decision report

Case: 201502775, Lochalsh & Skye Housing Association Limited
Sector: housing associations
Subject: repairs and maintenance
Outcome: upheld, recommendations

Summary

Miss C complained about the housing association. They were holding her responsible for works required to repair damage to the kitchen after she had exchanged her property with the tenant of another housing association. She disputed this as, a couple of months before she moved, her property had been inspected as satisfactory and approved for a transfer. On investigation, it became clear that the association had failed to follow their procedure for carrying out a final inspection. This did not take place until after the new tenant took up residence, meaning there was no evidence to prove who was responsible. We also found that the new tenant had signed a declaration accepting responsibility for all outstanding tenant repairs. As such, we found that Miss C should not be held responsible for the repairs and upheld her complaint.

Miss C also complained about the standard of communication she received from the association regarding these issues. After reviewing the correspondence against all the evidence provided, it became clear that the association had made a number of statements that contradicted the evidence available. We also found instances where they had stated unsubstantiated third party information as fact, without giving Miss C the opportunity to respond. We also upheld this aspect of her complaint.

Recommendations

We recommended that the association:

- apologise to Miss C for the failings our investigation found; and
- write off the debt they were pursuing Miss C for and refund her rent credit.