

SPSO decision report

Case: 201508704, Castlehill Housing Association Ltd

Sector: housing associations

Subject: repairs and maintenance

Outcome: resolved, recommendations

Summary

Mr and Mrs C's washing machine failed and caused a flood to their downstairs neighbour's flat. Both Mr and Mrs C and the tenant below them are tenants of the housing association.

Mr and Mrs C's contents insurer said that as Mr and Mrs C had not been negligent, they would not cover the cost of repairing the damage. The association rectified the problems in the tenant's flat below and charged Mr and Mrs C for the cost of this.

Mr and Mrs C complained that this was unreasonable. We considered this complaint carefully and asked some specific questions of the association. Following this, the association decided that without a clear policy and legal guidance around these types of situations, they had not acted reasonably. We agreed a number of steps the association could take to resolve the matter to Mr and Mrs C's satisfaction.

Recommendations

We recommended that the association:

- apologise to Mr and Mrs C, demonstrating that they have reflected on their complaint and their actions and identified failings;
- refund Mr and Mrs C all monies paid and cancel any outstanding amount; and
- provide us with a copy of their policy, covering these sorts of situations.