

SPSO decision report

Case: 201608235, Aberdeen City Council
Sector: local government
Subject: repairs and maintenance
Decision: some upheld, no recommendations

Summary

Mrs C complained that the council failed to reasonably respond to concerns she raised about dampness and mould in her property. Mrs C said that throughout the time she resided there, she and her family had to endure intolerable living conditions which affected their health. She also said that furniture and personal possessions were ruined. Mrs C and her family were later relocated to another property. Mrs C also complained that the council failed to carry out appropriate repairs to the property.

We found that, in a number of areas, the council's response to Mrs C's concerns about dampness and mould in the property were of a reasonable standard based on the evidence available. However, we considered that the council could have given clearer information about initial works carried out to the property before Mrs C moved in and that there was delay in the information provided to her about making an insurance claim. The council acknowledged that the explanation for the source of the damp and mould in the property had changed over the course of their correspondence and there was a lack of a co-ordinated response from the council teams concerned. The council also acknowledged that this had led to a delay in responding to Mrs C's complaint. Therefore, we upheld this aspect of Mrs C's complaint. However, we considered that the council had appropriately acknowledged and apologised to Mrs C for the failings in responding to her concerns and that they had taken action to address this.

In relation to Mrs C concerns about appropriate repairs, we found that there was evidence that the council took appropriate steps to ascertain the problems at the property and establish what repairs were necessary. We considered it was reasonable for the council to rely on the professional judgement of their officers, who considered that the problems were being caused by condensation, rather than water ingress. We found that the council's actions to address the damp and mould issues were reasonable, and therefore we did not uphold this aspect of Mrs C's complaint.