

SPSO decision report

Case: 201701484, East Dunbartonshire Council
Sector: local government
Subject: rent and/or service charges
Decision: not upheld, no recommendations

Summary

Mr C complained that the council unreasonably determined that he owed them rent arrears after leaving his tenancy. Mr C was part of a joint tenancy, having joined the existing tenancy of other people who lived in a council flat. Mr C said that the arrears had arisen due to council errors in the existing tenancy, such as charging for insurance that was not needed, and not notifying the existing tenants of a rent increase.

We found no evidence that the existing tenants notified the council that they did not need insurance. We noted that all tenants were liable to pay rent at the increased rate and that the tenancy agreement was clear that when the other joint tenants left and Mr C remained at the property, the tenancy continued. The council's procedure, in relation to former tenants' arrears, stated that the remaining tenant was liable for all outstanding arrears. In this case, Mr C was the remaining tenant. Therefore, we did not uphold Mr C's complaint.