

## SPSO decision report

**Case:** 201702249, North Ayrshire Council  
**Sector:** local government  
**Subject:** homeless person issues  
**Decision:** not upheld, no recommendations

### Summary

Mr C complained to the council that they did not adequately respond to the repairs at his property relating to dampness and a faulty boiler. He also complained that the council failed to properly assess his homelessness application and failed to take into account his mental health when determining that he was intentionally homeless.

In their response to Mr C the council summarised the works carried out to the property. They said that the issues reported with regards to the boiler were resolved and that there was no issues with respect to dampness which would have made the property uninhabitable or would have caused the health problems Mr C had reported. With respect to the homelessness application, they reiterated the process that they had followed. Mr C was not happy with the response and brought his complaint to us.

We found that the council had adequately responded to reported faults at the property. Boiler works were carried out in accordance with their policy and, whilst there was a delay in providing a full reinstatement to flooring in the bathroom following an identified leak, this was not unreasonable in the circumstances and did not cause the property to be uninhabitable.

With respect to the homelessness application, we were satisfied that the council properly assessed Mr C's circumstances, communicated with him effectively throughout the process, provided him with accommodation throughout and clarified points he raised at a review meeting. It was clear that the council obtained relevant information, particularly with respect to Mr C's health and mental health, and made their decision in accordance with appropriate policies and guidance. We did not uphold Mr C's complaints.