

Case 200501366: Almond Housing Association Ltd

Introduction

1. On 23 August 2005 the Ombudsman received a complaint from a member of the public (referred to in this report as Mr C) that the Almond Housing Association (the Association) failed to redecorate his property after the installation of a new central heating system.

2. The central heating system was fitted as part of an on-going programme of improvements carried out by the Association on their properties.

3. The complaint from Mr C which I have investigated concerned:

The Association's failure to redecorate Mr C's home after the installation of the new central heating system.

4. Following the investigation of all aspects of this complaint I came to the following conclusion:

Not upheld, see paragraphs 6 to 12;

Investigation and findings of fact

5. The investigation of this complaint involved obtaining and reading all of the relevant documentation. I made a written enquiry of the Association and discussed the issues with them a number of times by telephone. I have set out my findings of fact and conclusions. Mr C and the Association have been given the opportunity to comment on a draft of this report.

The Association's responsibilities

6. The Association is a registered charity and a member of the Scottish Federation of Housing Associations.

7. On 11 January 2005 the Association wrote to Mr C to advise that, as part of their planned maintenance programme, the heating and electrical installation in his home was due to be upgraded. The letter advised that the work would be carried out in July, August or September 2005 with the least possible

disturbance. It was admitted in this letter that some disturbance may be unavoidable and that any planned redecoration, new carpets, or other floor finishes should be delayed until after the works were carried out.

8. On 30 June 2005 Mr Bristow Muldoon MSP wrote to the Association raising his constituent Mr C's concerns regarding the costs of redecoration. The Chief Executive of the Association replied on 8 July 2005 advising that: 'It is the tenants' responsibility for internal redecoration and the prior warning we give of impending works enables tenants to postpone redecoration or alternately plan to redecorate once the work has been completed. Consequently the Association do not pay decoration allowances when undertaking planned programmes of major work'.

9. A pre-works meeting between Mr C, the Association's Tenant Liaison Officer and the Association's contractor was carried out on 7 July 2005 at which point the subject of a redecoration allowance was raised. The Association said that they again advised Mr C at this stage that an allowance would not be payable.

10. The works were carried out on 16 August 2005.

11. From my review of the correspondence it is clear that Mr C was aware of the Association's procedures in respect of redecorating before the works were carried out. He had been advised a number of times that a redecoration allowance would not be paid.

12. The Association is entitled to establish its own policies and procedures. As the Association made clear at an early stage that an allowance would not be paid, I find no evidence of maladministration and, therefore, do not uphold the complaint.

30 May 2006

Explanation of abbreviations used

Mr C

The complainant

The Association

The Almond Housing Association Ltd