

Case 200502300: The City of Edinburgh Council

Introduction

1. The complaint was made by former tenants (Mr and Mrs C) against the City of Edinburgh Council (the Council). The complaint concerned the Council's handling of Mr and Mrs C's termination of their tenancy of a council house, and the matter of rent arrears. The complaint was resolved by the Council during the investigation procedure.

The complaint

2. Mr and Mrs C alleged that when they gave up the tenancy of the house – because of anti-social behaviour by neighbouring tenants – the Council's Housing Department failed to ensure that they completed the proper termination procedure. As a consequence of this they claimed that they incurred considerable rent arrears (£1,006.94).

3. Mr and Mrs C made a formal complaint to the Council on 25 November 2005, to which the Council replied on 7 December 2005, confirming that the rent arrears were outstanding and required payment. Mr and Mrs C subsequently made a request for an external review by the Ombudsman, alleging that there was administrative fault or service failure by the Council as a consequence of which they had been caused injustice.

Investigation and findings of fact

4. In the course of my investigation I examined documentary evidence supplied by Mr and Mrs C; and I made a written enquiry of the Council on whose behalf the Council Secretary replied on 29 March 2006.

5. In his reply the Council Secretary indicated that the Director of Housing accepted that there was a failure to ensure completion of the proper termination procedure.

6. The Council apologised to the Ombudsman for this administrative failure and agreed to offer Mr and Mrs C a formal apology. The Council agreed to take on

board the administrative issues raised by the complaint and, in this context, they indicated in their reply to me that they had put in place appropriate training procedures for staff to follow when dealing with similar cases.

7. The Council also agreed to authorise an immediate internal rent credit of £935.61 for the period 1 July to 9 October 2005 when the tenancy was formally terminated. This left a balance of £71.33 outstanding, being the balance of the arrears on the account at 1 July 2005, the date on which Mr and Mrs C requested re-housing. The Council subsequently indicated that this balance had been cleared by Mr and Mrs C.

Conclusion

8. I am satisfied with the outcome, and commend the Council for taking prompt action to resolve the complaint following my enquiry. In view of this there is no need for the Ombudsman to make any recommendation.

27 June 2006

Explanation of abbreviations used

The Council	The City of Edinburgh Council
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Mr and Mrs C	The complainants
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