

**Case:** 201407227, Berwickshire Housing Association Ltd  
**Sector:** housing associations  
**Subject:** terminations of tenancy  
**Outcome:** some upheld, recommendations

### Summary

Mrs C gave notice to the housing association to terminate her tenancy. An end of tenancy letter was issued by the association detailing her responsibilities prior to moving. A pre-end of tenancy inspection was carried out. The association issued Mrs C with a further letter advising that no rechargeable repairs had been identified. The letter did, however, make it clear that rechargeable repairs could be found on further inspection after she had moved out. Mrs C was subsequently recharged for a redecoration allowance, plaster repairs and emptying wheelie bins at the property. Mrs C complained that the recharges should not have applied, and that she understood from her tenants' handbook that estimates should have been issued before any work took place.

After investigating Mrs C's concerns, we did not uphold her complaint about the redecoration allowance. We found it was clear that the property was to be left in good decorative order and that the association had evidence to support their position on its condition. Similarly, we considered that the association had taken reasonable steps to make Mrs C aware that she would be liable for any damage, such as that caused to plasterwork. Again, the association had evidence to support their position on the condition of the plasterwork. We upheld Mrs C's complaint about recharges for the emptying of wheelie bins as we found no evidence that it had been made clear that outgoing tenants were unable to leave rubbish in the wheelie bins. During our investigation, the association advised that it is not their policy to issue estimates prior to recharging for works in these circumstances. However, they acknowledged that their tenants' handbook did imply that this would happen. Consequently, we upheld Mrs C's complaint about estimates. We also upheld her complaint on the association's handling of her concerns as we found some issues had not been addressed. We made a number of recommendations in relation to our findings. One of these related to clarifying the wording of compensation offers, as we found an offer made to Mrs C was not clear in its scope.

### Recommendations

We recommended that the association:

- remove the charge for emptying wheelie bins from Mrs C's account;
- review all relevant policies and guidance to determine if any amendments are required to clarify tenants' responsibilities in terms of emptying wheelie bins at termination;
- review the tenants' handbook and other information provided to tenants to ensure it accurately reflects their policy on estimates;
- issue Mrs C with a written apology for the failure to address all her concerns in their response to her complaint; and
- consider reviewing how compensation offers are worded so that the scope and intention is clear to tenants.