

SPSO decision report

Case: 201609177, Dundee City Council
Sector: local government
Subject: repairs and maintenance
Decision: upheld, recommendations

Summary

Ms C moved to a new property through a mutual exchange. She complained to the council about repairs that were outstanding and the overall condition of the house. The council arranged for a building condition survey to be carried out, and it found that a number of significant structural repairs had to be carried out, including an internal wall which had to be rebuilt. Ms C had been told by the council, prior to moving in, that the wall would be rebuilt and that all outstanding repairs would be completed.

Ms C was also concerned that she was not given the opportunity to view the property before she accepted it. Ms C complained to us that the council unreasonably failed to follow correct policy and procedure regarding the mutual exchange, and that they failed to ensure the property was made available in an appropriate standard of repair. Ms C also complained that the council unreasonably delayed in carrying out the agreed repairs to the property in line with their policies.

In response to our investigation, the council told us that it was not standard procedure for a tenant to be offered the opportunity to view the property before a mutual exchange. However, they have since updated their policy to ensure that this happens. We found that even though the mutual exchange inspection by the housing officer confirmed that the property was in good condition, the property should not, in fact, have been approved for exchange. We also found that the council unreasonably delayed in completing the repairs for Ms C and that the council had acknowledged this. We upheld Ms C's complaints.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C for not making appropriate checks to ensure the property was up to standard and for the delay in completing repairs. The apology should meet the standards set out in the SPSO guidelines on making an apology, available at www.spsa.org.uk/leaflets-and-guidance.

What we said should change to put things right in future:

- The inspection policy for mutual exchanges should ensure that properties are properly inspected by a qualified officer and provided to tenants in a structurally sound condition.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.