

Case 200501077: Charing Cross Housing Association Ltd

Summary

Category

Housing Association

Overview

The complainant alleged that Charing Cross Housing Association Ltd (the Association) had failed to identify and repair a potential leak above his flat over the last 7 years.

Specific complaint(s) and conclusion(s)

The complaint which has been investigated is about the alleged failure of the Association to identify and repair a potential leak above Mr C's flat (*not upheld*).

Redress and Recommendation

The Ombudsman recommends that the Association continues to follow the current course of action they have communicated to Mr C in relation to the potential leak.

Main Investigation Report

Introduction

1. On 18 January 2006 the Ombudsman received a complaint from a man (referred to in this report as Mr C) that Charing Cross Housing Association Ltd had failed to identify and repair a leak in the roof above Mr C's flat which has been present for over 7 years. Mr C claimed that he could hear a consistent dripping noise which led him to believe that there was a leak. Mr C is an owner occupier with a factoring agreement with the Association. Mr C had raised this complaint with the Association through the appropriate complaints procedure and had exhausted the procedure. The complaint was, therefore, eligible to be taken up by the Ombudsman.

2. The complaint from Mr C which I have investigated is about the alleged failure of the Association to identify and repair the leak in the roof above Mr C's flat.

Investigation

3. Mr C provided copies of documentation to assist in my investigation of his complaint. I made a written request of the Association that they provide documentation relative to the complaint. Their response included; roof repairs orders from 1998 to 2006, roof inspection reports for 2004, 2005 and 2006, a copy of the complaints procedure and a Factoring Services leaflet. I have not included in this report every detail investigated, but I am satisfied that no matter of significance has been overlooked.

Complaint: The failure of the Association to identify and repair the leak above Mr C's flat.

4. Having reviewed all the relevant information provided, I have reached my decision, based on the evidence available, as follows;

- The Association have provided evidence, such as post work inspection forms and inspection forms, which clearly demonstrate numerous attempts to locate the origin of any leaks in the roof above Mr C's flat.
- No origin of the leak has been established, however, work has been ordered, as demonstrated in evidence supplied, by the Association to try to remedy any problems which may be causing any leaks above Mr C's flat.

- The Association have acted appropriately in their attempts to rectify this problem and followed their procedures by carrying out post-work inspections and site inspections to try and locate the origin of the leak. Work had recently been ordered to make further attempts to identify and rectify the problem.
5. The duties and responsibilities of the Association for factored owners as advertised in their documentation are as follows:
- offering buildings insurance
 - back-court maintenance
 - close cleaning/stair head cleaning
 - common repairs
 - consultation on major works
 - review of contractors
 - repairs service
 - provision of an emergency repairs service.

Conclusion

6. I acknowledge Mr C's frustration that the source of the leak has not been identified. However, from the evidence I have reviewed, the Association have taken all reasonable steps in to attempt to identify the problem and have fulfilled their duties and responsibilities under the terms of the factoring agreement. By cross referencing the action taken by the Association with their responsibility and duty to Mr C, it is apparent they have taken reasonable action in their attempts to remedy the situation and provided a good level of service to Mr C. As a result, the complaint is not upheld.

Recommendation

7. As the complaint is not upheld, there is no recommendation for redress.

31 October 2006

Explanation of abbreviations used

Mr C

The complainant

The Association

Charing Cross Housing Association
Ltd