

SPSO decision report

Case: 201102363, The City of Edinburgh Council
Sector: local government
Subject: repairs and maintenance of housing stock
Outcome: not upheld, no recommendations

Summary

Mr C complained on behalf of his elderly mother who is the owner occupier of a ground floor flat in a tenement stair of six flats. Four of the flats, including the two at the top, are in council ownership. Since 2006, in response to complaints from the top flat tenants about leaks, the council instructed repairs to the roof, using provisions in the Tenements (Scotland) Act 2004. Mr C complained that the council unjustifiably authorised repeat roof repairs for a repair that was not properly undertaken in the first place and failed to ensure that the repairs were undertaken properly and to a satisfactory standard. He also said that council staff were rude and unhelpful to Mr C's mother and that the council did not communicate with Mr C rather than his mother when he asked them to do so.

We did not uphold Mr C's complaints. As part of our investigation we reviewed the details of all the works commissioned, from which it appeared that the costs were in fact less than Mr C had claimed. There was no evidence to suggest that later work was needed because of inadequate workmanship or scrutiny. The council's database showed nearly fifty contacts with Mr C's mother since 2009 and no evidence that she had complained about rudeness or that she had given Mr C a mandate to deal with the council on her behalf.