

SPSO decision report

Case: 201302144, Fife Council
Sector: local government
Subject: terminations of tenancy
Outcome: not upheld, no recommendations

Summary

Ms C told us that when she decided to move house, she gave notice to the council and moved to a private tenancy. No one checked the house before she left. A few months later, the council invoiced her for a large sum of money. The council said that this represented the cost of various repair and reinstatement works for which she was responsible under the terms of her tenancy agreement. While Ms C agreed that she might be liable for some of the cost, she said that the remainder was the responsibility of the previous tenant.

Our investigation found that Ms C's tenancy agreement was created when she took over the tenancy from a relative, with whom she had lived. This type of tenancy did not require an exit check when Ms C's relative moved out, and so in signing her own tenancy agreement, Ms C had assumed responsibility for the condition of the property. The council told us that after Ms C left the property, they inspected it and found that it was not in lettable condition. Repairs, reinstatement and cleaning works were required. The council had then charged Ms C for these, under the terms of her tenancy agreement. Although Ms C felt that she had been overcharged, we found no evidence of this.