

SPSO decision report

Case: 201302285, Lochalsh & Skye Housing Association Limited
Sector: housing associations
Subject: applications, allocations, transfers & exchanges
Outcome: some upheld, no recommendations

Summary

Ms C had a single bedroom tenancy. Her adult son had come to live with her in February 2013, while he was awaiting housing. Ms C wanted to move elsewhere, but did not want to immediately give up the tenancy, as she was taking up her new housing arrangement on a trial basis. She emailed the housing association in late April to ask if she could sublet to her son. A housing officer called her the same day and said that with her son resident she was creating an overcrowded situation, and that she would not be given permission to sublet. The housing officer followed this up by sending her son forms to update his housing application, and writing to Ms C saying that her son should leave within two weeks and make contact with the local council's homelessness officer. Ms C then made a written request for permission to sublet the tenancy to her son and complained about the housing officer's actions. This resulted in the association granting Ms C permission to sublet for a temporary period of four months, and apologising.

Ms C sublet the house to her son and moved away. In August 2013 she told the association that she wished to terminate her tenancy and make her move permanent. She asked whether the tenancy could be assigned to her son. For this to be allowed, however, the association needed to establish that her son had lived there for six months. He had been asked for evidence, but had no documentary proof. Ms C supplied evidence that when her son came to stay with her she had told the council that she was no longer eligible for single person's council tax discount, but the housing officer said that this did not in itself confirm her son's residence. Ms C complained again. The chief executive responded to her complaint, and also invited her to withdraw her request to terminate the tenancy, so that she could ask for it to be assigned to her son.

Ms C made three complaints to us about this. We did not uphold her complaints that the association had failed to follow the correct processes and procedures when she first told them that her son was living with her or that they had unreasonably failed to deal with her enquiries, as we found no evidence that the association had done anything wrong in respect of these. We did uphold the complaint that she was initially told that she could not sublet to her son, but as the association had already apologised for that and had given permission for the sublet, we did not make any recommendations.