

SPSO decision report

Case: 201402729, South Ayrshire Council
Sector: local government
Subject: repairs and maintenance
Outcome: not upheld, recommendations

Summary

Mr C reported dampness in his property that he said was caused by the neighbouring council property. Council officers visited the site and tests were carried out on cavity wall insulation. An independent survey commissioned by the council found that the dampness did not come from the council property but said that the lack of a damp proof course at one location might contribute to moisture building up in a cupboard. The council said they would investigate the installation of a damp proof course and carry out the work required to put right the damp course issue. Mr C, however, disputed the survey report saying that it did not accord with what he and his partner were told by the workmen carrying out the tests. When the contractors attended to carry out repairs after the cavity wall tests, Mr C's partner sent them away, so they did not carry out damp proofing work. Mr C said that access to his property was not required to do this. He complained to the council about continuing problems with dampness and that council officers had not responded reasonably to his emails and calls. The council investigated and did not uphold his complaints, so he complained to us.

Our investigation reviewed the survey reports and correspondence between Mr C and the council. We found that the council had clearly established that the dampness in Mr C's property did not originate from the council property. In an effort to help Mr C they had said they would carry out work on one aspect as a goodwill gesture, but they were then refused access to infill the inspection holes opened up when the independent survey was carried out. We found that the council should have been clearer about what they communicated to Mr C but they had confirmed the dampness was not coming from the council property and that they were not responsible for work on the property that Mr C owned. We did not uphold the complaint, but made a recommendation.

Recommendations

We recommended that the council:

- contact Mr C to discuss arrangements for the inspection holes to be re-filled.