Housing- Citizens Advice

Complaining about your landlord's failure to make repairs if you are a social housing tenant

If you rent your home from a social housing landlord, they're responsible for dealing with most repair problems - <u>check what repairs they have to do</u>. If you've reported repairs to your landlord and they haven't done anything, you can make a complaint.

This page explains how to complain about your landlord's failure to make repairs to your landlord, a councillor or an Ombudsman, and what you should include in the complaint.

Before making a complaint

Before making a complaint, double check that your landlord is responsible for doing the work, for example, by looking at your tenancy agreement or tenant's handbook. However, every landlord is responsible for carrying out certain repairs even if these aren't mentioned in your tenancy agreement.

Your landlord might also have to make sure that your home is safe for you to live in.

If your repair problem is urgent and your landlord hasn't done anything about it, then making a complaint may not be the best way to resolve it and you may need to consider other options.

- More about the landlord's repair responsibilities
- More about other options for social housing tenants

Keeping evidence about repairs

Having information to support your complaint will always be useful. This could include:

- records of conversations with your landlord, the date you spoke to them and anything they agreed to do
- copies of any letters or emails you've sent to, and received from, your landlord
- photographs of the repair, particularly if the problem gets worse over time
- belongings or photographs of belongings that have been damaged because of the repair problem. For example, clothes or furnishings damaged by mould. It's useful to keep a note of how much they cost you or keep receipts if you have to buy new things to replace them
- a note of any medical visits if you are injured or made ill by the repair problem
- any expert evidence you may have, for example, reports from a surveyor or an Environmental Health Officer.

Complaining to your landlord using their complaints procedure

You can consider making a formal complaint to your landlord if they:

- haven't dealt with a repair problem
- are slow to do the work
- have carried out an inspection but have done little or nothing since
- have done the repair work but it's of poor quality.

Every social housing landlord must have a clear and accessible complaints policy and procedure, and you should be able to complain in a range of ways. The policy should set out when your landlord will get back to you and what you can do if you're unhappy with the outcome.

It's best to make your complaint in writing, keeping a copy of the letter and any response.

Checklist for making a formal written complaint

Before starting to write your letter, make a note of the main points of the complaint. Make sure you:

- say that the letter is a formal complaint, for example, by mentioning this in the opening line of the letter or by heading the letter 'Complaint'.
- make the letter clear, to the point and set it out in a logical order.
- focus on why you're complaining and stick to the facts. Include any relevant dates and times, the names of anyone involved, and how you've been affected for example, if your health has got worse.
- explain what you'd like your landlord to do as a result of the complaint, for example, give you compensation or complete the repairs without further delay.
- attach copies of any other information that relates to or supports your complaint, for example, photographs of the problem, receipts of items that have been damaged because of the lack of repair.
- date your letter and include your contact details.
- keep a copy of the letter and any attachments.
- where possible, get proof of postage or keep a record of when the letter was sent and who it was addressed to.
- check the complaints policy to see if there are any target response times and make a note in your diary when a response should be received by. Copies of policies and procedures are often available on landlords' websites.

Most complaints procedures have two or three stages and if you're unhappy with the final outcome of your complaint, you can complain to an Ombudsman.

Complaining to a local councillor

If you're a local authority tenant, as well as complaining to your landlord, you can also raise the problem with a local councillor.

You can contact a local councillor through your local authority or by attending the councillor's advice surgery. <u>Find out how to contact your local councillor</u>.

Complaining to an Ombudsman

If you're unhappy with the outcome of a complaint to your landlord, you can complain to an Ombudsman. You should do this after you've exhausted your landlord's internal complaints procedure.

A complaint to an Ombudsman may take some time to be investigated. If the Ombudsman finds that your landlord is responsible for the problem, the report will include recommendations for a suitable solution. Landlords usually take their findings seriously and act on them. The actions the Ombudsman might ask for include:

- an apology
- payment of compensation
- improved administrative procedures
- putting the problem right

Check how to complain to the Housing Ombudsman in England.

Taking your landlord to court

If you've reported repairs to your landlord and they've failed to fix them you can consider taking them to court.

The court expects that you will have tried to resolve the situation with your landlord through some form of alternative dispute resolution (ADR).

This can be mediation, going to the ombudsman or making a formal complaint through your landlord's internal complaints procedure.

Check how to take court action if your landlord has failed to make repairs.