



Case study

The Property Ombudsman (TPO) - Limited Action for Leaseholder Leaks

The Property Ombudsman was asked to review a case from a leaseholder who stated that the agent has failed to pro-actively manage the water leaks from the flat above.

The complaint was raised by the niece of an elderly man living in a retirement complex. His upstairs neighbour had caused six water leaks through his ceiling by forgetting to turn off her bathroom taps. The complainant reported that her uncle was distressed and feared leaving his flat in case of another flood.

Findings

The agent said they had spoken to the resident in question and had arranged for flood sensor taps to be installed but essentially, they could do nothing further to assist. The agent was limited in their actions; however, they had failed to deal with the reports from the complainant's uncle for a considerable period of time. This was contrary to the recommendations of the Association Of Retirement Housing Managers Code, which states that managers should have written policy and procedures in place to safeguard older people and to deal with any allegations and complaints. Although the agent had eventually taken steps to resolve the problem, the Ombudsman considered that it was unfair for them to state that they could not provide any further assistance. Clearly both the upstairs neighbour and the complainant's uncle were vulnerable people who needed ongoing support from the complex manager.

Outcome

The complaint was supported due to the significant delay in the agent taking action. An award of £400 was made. This was set at a level to reflect the timescales involved and the vulnerability of the leaseholder.

You can find more information about the TPO here - <https://www.tradingstandards.uk/commercial-services/code-sponsors/the-property-ombudsman>

ENDS

Notes for Editors:

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