

# What to do if your housing association hasn't fixed a problem in your home



If you rent from a housing association in Wales, it is responsible for carrying out certain repairs to your home.

This factsheet explains how to get things sorted if you find an issue at home.



## Step one: Report the problem

Make sure you tell your housing association as soon as possible about any damage that needs to be put right. Your contract should say what maintenance you are responsible for in your home, and which repairs your housing association is responsible for. If it is something they should fix, your housing association should get it sorted in a reasonable amount of time. How quickly the repairs are done will depend on what the problem is. You will need to give your housing association access to your home to see the problem and to carry out any work that is needed. Keep a record of any contact you have with your housing association about the problem.



## Step two: Complain to your landlord

You can complain if you are not happy with how your repair has been handled. All Welsh housing associations have a complaints system which is free to use. Ask your housing association directly for information on how to complain to them. You must submit a complaint before you take things any further.



## Step three: Escalate to the Ombudsman

If you have reported the problem and it has not been fixed within a reasonable timeframe, or if you have received a response to a complaint which you are not happy with, you can go to the Public Service Ombudsman for Wales. The Ombudsman is impartial and independent. It has legal powers and can force a landlord to quickly fix a problem. It also has the power to award compensation. The Ombudsman can look at complaints where a housing association has:

- failed to carry out repairs to your home;
- delayed dealing with your request for repairs;
- missed appointments;
- failed to sort out a repair problem that you have reported within a reasonable time.

More information about how to escalate your problem to the Ombudsman is available [here](#).

## Other options



**Speak to your council's environmental health department** – it is responsible for making sure your home is safe.



**Speak to Shelter Cymru** – this charity can give you free, confidential and independent housing advice. You can chat to them online, call their helpline, or visit a local service. Visit [sheltercymru.org.uk/get-help](https://sheltercymru.org.uk/get-help) for more information.



**Speak to your MS or councillor** – find out how to contact your local representatives at [writetothem.com](https://writetothem.com).



**Contact Citizens Advice** – its advisors give free, confidential advice on lots of different things, and can help you find free or affordable legal help if you need it. Go to [www.citizensadvice.org.uk/wales](https://www.citizensadvice.org.uk/wales) for more information.

## Claim management companies and solicitors



Some disrepair claim management companies and solicitors offer to help get problems fixed for people living in social housing. You have a clear and established right to go down this legal route, but it is a lengthy and costly process, which is why we have included details on the free options available to you in this factsheet.

Reasons why you may choose to pursue a legal claim:

- If you win, your landlord will have to carry out the repairs you need in your home.
- If you have exhausted all other options, a legal professional can help you navigate what can be complex next steps.
- You may get compensation if you win in court.

Things you should be aware of if you choose to pursue a legal claim:

- It could take a lot of time to get the problem sorted if you go down the legal route. There is also no guarantee you will win.
- The Ombudsman is unlikely to take up a complaint if you pursue the legal route.
- Cases can take up a lot of your time and can generate significant court fees that you may have to pay if you are unsuccessful or if you withdraw your claim. →

- • If you win, you may have to pay the solicitor or claim management company, either through fees or by giving them a percentage of your compensation.
- If you lose you may have to pay your landlord's costs for defending the case.

Remember, you must let your landlord into your home or onto your property to make any repairs even if you have an active claim against them. Sometimes tenants are told not to allow access but this could mean there are delays in getting the problem sorted out. It could also impact your legal claim, and is a breach of your occupation contract.

Claims management companies must be authorised by the Financial Conduct Authority if they provide services for claims concerning housing disrepair. Make sure you check their credentials and the person you are dealing with before agreeing to anything.

Solicitors are regulated by the Solicitors Regulation Authority and must comply with a code of conduct. You can [check the Law Society's website](#) if you are unsure if a firm or a solicitor is genuine.



## And finally...

Many Welsh housing associations have developed new processes and resources for specifically dealing with issues such as damp and mould in the past few years. Their response could now be quicker than you expect.



This factsheet was developed to help housing association tenants in Wales get things put right in their homes.

It was developed by Community Housing Cymru (the organisation that represents 34 housing associations in Wales), working with a group of housing association professionals.

If you have any concerns about the advice shared here, please contact your housing association directly, or email [comms@chcymru.org.uk](mailto:comms@chcymru.org.uk).