



Disrepair Procedure

How we keep your home in good repair, and what happens if something goes wrong

1. About this procedure

We want every resident to have a safe, warm and comfortable home. This procedure explains how we:

- look after our homes and shared areas so that problems are found and fixed early
- look into reports of disrepair quickly and decide what needs to happen
- put things right promptly, so that residents don't need to take legal action

It covers all of our homes, including general needs, leasehold, care and support, temporary and market rent homes. What we are responsible for repairing can be different depending on the type of home and your tenancy agreement or lease, so please read this alongside your own agreement.

2. What we mean by...

Disrepair

When the structure or outside of a home, or services such as water, gas, electricity, heating or drainage, are not kept in proper working order, or when we haven't carried out repairs we are responsible for under your tenancy agreement or lease.

Decent Homes Standard

A government standard that sets the minimum quality all social housing should meet.

Housing Health and Safety Rating System (HHSRS)

The system used to check whether a home has hazards that could affect the health or safety of the people living there.

Housing conditions (disrepair) claim

A legal claim about the condition of a home. It can include claims for personal injury caused by the condition of the property.

Pre-Action Protocol

A set of steps that both sides are expected to follow before going to court, to help settle disrepair claims early.

Independent expert

A qualified surveyor who inspects the home and gives an impartial report on its condition. Sometimes one expert is agreed by both sides (a “single joint expert”).

3. Our legal responsibilities

As your landlord, we have duties under several laws to keep homes in good condition, including the Landlord and Tenant Act 1985, the Defective Premises Act 1972, the Environmental Protection Act 1990, the Housing Act 2004 and the Homes (Fitness for Human Habitation) Act 2018.

Our homes must also meet the Decent Homes Standard. This means a home must:

- meet the current minimum legal standard for housing
- be in a reasonable state of repair
- have reasonably modern facilities and services
- be reasonably warm

If the local council finds a serious hazard under the HHSRS, we must carry out the repairs within a reasonable time. Where we own the building, we also make sure shared areas are repaired, maintained and properly insured.

If a repair is not our responsibility, we will tell you who is responsible and give you advice on what to do next.

4. How we prevent disrepair

- **Regular surveys.** We carry out an ongoing programme of surveys to check the condition of our homes and buildings. Any serious hazards are prioritised.
- **Planned investment.** We keep detailed records about our homes, which help us plan improvement work before problems develop, including work to tackle condensation, damp and mould.
- **Repairs service.** We run a responsive repairs service. All repairs, whether reported by you or spotted by our staff, are recorded so we have a full picture of each home's condition.
- **Empty homes.** When a home becomes empty, we check it and fix any problems before it is let again. We only let homes that meet our lettings standard, which you can find on our website.

- **Our staff and contractors.** If they notice a repair issue while visiting a home or estate, they report it straight away.

Please tell us about repairs as soon as you notice them. The earlier we know, the sooner we can put things right.

5. Complaints about disrepair

If you are unhappy about a repair or the condition of your home, you can make a complaint. We deal with disrepair complaints through our normal complaints procedure, whether they come from you or from someone acting on your behalf.

If you have asked a solicitor to act for you, we handle the matter as a legal claim instead (see section 6), but we will still try to resolve it with you without going to court.

If you remain unhappy, you can ask the Housing Ombudsman to look at your case. If the Ombudsman asks us, we will share the outcome of your disrepair claim with them.

6. If you make a legal claim

- We aim to respond to a formal Letter of Claim within **20 working days** of receiving it.
- We follow the Pre-Action Protocol for disrepair claims.
- We may ask a solicitor to represent us.
- Where it is reasonable, we will try other ways to resolve the matter (such as mediation) to avoid court.
- Where appropriate, we will consider settling the claim, which may include a financial payment.
- Where needed, we will work with you or your legal adviser to arrange for an independent expert to inspect your home.

7. After an inspection

We will agree a plan of works with you and carry it out within a reasonable time. Sometimes parts of your home may not be usable while work is being done.

Once the work is finished, we will carry out a follow-up inspection with you within **28 days**. Where requested, we will share information with solicitors or other organisations, as the Pre-Action Protocol requires.

8. If you need to move out while work is done

Occasionally, residents need to move out of their home, for a short time or permanently, so that major repairs or improvements can be carried out safely. This is sometimes called a “decant”. It does not include moves because of transfers, mutual exchanges or ending a tenancy.

What we will do

- Your Homes and Communities Officer will explain why a move is needed, what will happen and answer your questions.
- We will talk with you about your household's needs, such as any adaptations, school or work locations, pets and transport.
- We will find suitable temporary accommodation. This will be one of our own homes where possible. If not, we may use a specialist accommodation provider, for example after a flood or fire.
- We will keep you updated at every stage.

What we ask of you

- Give us accurate information so that we can find the right accommodation.
- Tell your Homes and Communities Officer about any particular needs or worries.
- Follow the arrangements we agree with you during the move.

Contact us

To report a repair, make a complaint or ask about this procedure, visit peaksplains.org or contact our customer services team.

If you need this document in another format, such as large print or another language, please ask us.