

9 May 2018

**Complaint reference:**  
18 000 572

**Complaint against:**  
London Borough of Havering

## **The Ombudsman's final decision**

Summary: Mrs X complained about the Council's contractors damaging her fence when working on the social housing landlord's property. The Ombudsman cannot investigate this complaint. This is because Mrs X's complaint is about the management of housing by a social housing landlord. The Ombudsman has no jurisdiction to investigate social housing landlords

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## **The complaint**

1. The complainant, whom I shall call Mrs X, complains about the Council's contractors causing damage to her fence and treating her complaints to them inappropriately.

## **The Ombudsman's role and powers**

2. We cannot investigate complaints about the provision or management of social housing by a council acting as a registered social housing provider. (*Local Government Act 1974, paragraph 5A schedule 5, as amended*)

## **How I considered this complaint**

3. I have considered all the information which Mrs X submitted with her complaint. I have also considered the Council's response and Mrs X has commented on the draft decision.

## **What I found**

4. Mrs X says the Council housing landlord sent contractors to carry out work on the fence which is the boundary between her home and the property which it lets to a tenant. She did not receive any warning about the work starting. When the contractors replaced part of a fence panel on the Council property they attached it to Mrs X's existing panel.
5. When Mrs X asked the contractors what they were doing she says they were rude and aggressive to her. Mrs X complained to the Council because she felt her property has been interfered with without her consent.
6. Since 2013 the Ombudsman has no jurisdiction to investigate complaints about social housing landlords carry out estate management repairs. Mrs X is a private owner so she cannot complain to the Housing Ombudsman service which considers such complaints from tenants.

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## **Final decision**

The Ombudsman cannot investigate this complaint. This is because Mrs X's complaint is about the management of housing by a social housing landlord. The Ombudsman has no jurisdiction to investigate social housing landlords.

## **Investigator's decision on behalf of the Ombudsman**