



## Repairs and Maintenance

This leaflet outlines:

- Our responsibilities to carry out repairs.
- Timescales for carrying out repairs.
- How to report a repair.

Further information on these rights is contained in your tenancy agreement.

The Council is generally referred to as “we” throughout this leaflet. Tenants are normally referred to as “you”.

### Our Responsibilities

We must make sure that your house is wind and watertight and in all other ways reasonably fit for human habitation at the beginning of your tenancy and keep it in such condition throughout the tenancy.

We are responsible for repairs to the structure and the exterior of the house, for example, repairs to the roof and external windows.

We will also keep in repair and good working order fittings that we have provided such as those for:

- The supply of water and electricity.
- Sanitation, for example, sinks, showers, baths and toilets.

Our responsibilities also extend to maintaining installations such as:

- Fires and central heating systems including fireplaces, flues and chimneys.
- Hot water heating.

We will try to carry out repairs at a time that is suitable for you. We have the right to enter your house to inspect it and carry out repairs for which we are responsible.

If we need access to your property to inspect it or to carry out a repair which you have not reported and which we believe is needed, we must give you 24 hours' notice in writing.

In an emergency, we have the right to force entry if necessary without giving you notice first. Before doing this, though, we will try to contact you first, or anyone else who has a key.

You should report any repairs to Customer Services.

If it is an **emergency** repair, we will respond within 24 hours.

An emergency repair includes repairs affecting health, safety and security such as a blocked toilet when it is the only toilet in the house.

If it is an **urgent** repair, we will respond in 3 working days. Urgent repairs include repairs such as a loose banister rail.

If it is a **routine** repair, we will respond within 20 working days and these could include exterior repairs to doors and windows.

We are not responsible for repairs that are needed because of damage that is due to neglect or a deliberate action by you, or anyone else living with you or visiting you. However, we may do the work and recharge you for the cost.

We will make good any damage arising from work we carry out to your home.

## Your Responsibilities

You are responsible for taking reasonable care of your house. This will include:

- Doing minor repairs such as replacement of light bulbs and fuses.
- Sweeping chimneys.
- Putting up tv aerials (though not if it is a communal aerial).
- Internal decorations.

Please note you need to seek our permission before putting up a satellite dish. Please also ensure no holes are drilled through window frames etc.

If there is any damage to the house or common parts, then you must report this to us as soon as is reasonably possible.

If we fail to carry out the repairs that are detailed in your tenancy agreement, then you can have the repairs carried out by a reputable firm and take the costs from the rent due.

This can only be done after:

- You have notified us of the repairs in writing.
- We have not done the repairs within a reasonable time.
- You have complained to us formally using our complaints system.
- And you are still dissatisfied with our decision.
- Or 3 months have passed since the complaint was first raised under the complaints system.

We operate an out of hours emergency telephone service and the number is 01856873430. This number should be reserved for emergency repairs such as a burst pipe which is likely to cause a flood unless attended to straight away.

## **Right to Repair Scheme**

The right to repair scheme applies to all Scottish secure tenants. We will tell you about this scheme, in writing, each year. A leaflet is available from Housing Services.

## **Entitlement**

You are entitled to have a 'qualifying' repair carried out to your house.

Qualifying repairs are defined in law and examples include blocked sinks, baths or basins, or loss of internal electric supply. You are notified immediately whenever you report a qualifying repair.

## **Completion of Qualifying Repairs**

The maximum time for completing any qualifying repair is set out in the right to repair regulations. The majority of qualifying repairs must be completed within one working day unless certain restrictions apply (noted below).

The maximum time allowed to do qualifying repairs begins on the first working day after:

- The date we are told of the repair.
- Where we inspect the house, the actual date of inspection.

Where we agree with you to inspect the house, we will do so as soon as possible after we have been told of the repair.

## **Suspension of Maximum Period**

The maximum time to finish a qualifying repair will be suspended if there are circumstances of an exceptional nature that stop us from completing the repair within the timescale. These circumstances must be beyond either our control (or the contractor's control). For example, where repairs cannot be completed because of extremely bad weather conditions, or the unavailability of parts. In these circumstances we will try and make temporary arrangements.

We have to let you know if the maximum time has been suspended.

## **Information to Tenants**

We have to advise you when you report a qualifying repair that it falls into this category. This is true even when we decide to inspect your house before deciding if it is a qualifying repair.

Where it is a qualifying repair, we have to make arrangements with you for access and give you the following details:

- The maximum time allowed to complete the repair.
- The last day of that period.
- The effect of the right to repair regulations, for example, your rights to compensation.
- Contact details of both the primary contractor and at least one other contractor from the list maintained by us.

The 'primary' (main) contractor is the contractor we use most often to carry out qualifying repairs. Please note that we use different contractors in the isles. Details of our current contractors are available separately from Housing Services.

## **Failure to Provide Access**

If you do not allow the contractor access, then the timescales to complete the repair do not apply. This restriction applies to both inspections and the actual repair work.

You will be given reasonable opportunity to provide access so arrangements can be made to carry out work at a time that is suitable to you.

## **Instructing Another Listed Contractor**

Where the contractor has not started the work within the required time, you have the right to instruct another listed contractor to carry out the qualifying repair.

Full details on how to contact approved contractors are given to you when you report repairs.

## **What Happens Next?**

As soon as the other contractor receives your instruction, they have to tell us of the instruction and we have to tell the other contractor when to complete the repair.

## **Compensation**

If the main contractor has not finished the qualifying repair on time, you will receive a flat rate payment of £15.

If the contractor has not started the work on time, you can contact another contractor. If this contractor doesn't do the work within the set timescale, you will receive an extra £3 for every working day the repair remains outstanding. The maximum sum payable is £100.

## **Your Views**

We ask a sample of tenants through surveys for their views on the standard of repairs. If you receive a survey please take a few minutes to complete the form as your views are important to us in taking steps to improve our service delivery.

## Further Information

We have additional leaflets which provide more information on types of repairs. In addition, we issue our tenants with an information booklet for reporting repairs. These are all available from Housing Services.

## Contacts

### Housing Services

- Council Offices, School Place, Kirkwall.
- Telephone: 01856873535.
- Email: [housing@orkney.gov.uk](mailto:housing@orkney.gov.uk)
- Emergency out of hours repairs service: 01856873430.

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