

# Right to be Consulted



The Housing (Scotland) Act 2001 gave all Council tenants a statutory right to be consulted about issues which impact on them. In Perth & Kinross Council we would like as many tenants as possible to help us make decisions on issues like rent levels, and how we spend rent money on improving their homes.

You can get involved in a variety of ways, whether as an individual tenant or as a member of a Registered Tenant Organisation (RTO). RTOs have the right to be consulted on issues about the area they represent.

Where there is one you can join your local Tenant Association or RTO. Going to their meetings means you can meet other tenants from your neighbourhood to talk about things which are important to you, locally. When invited staff from housing services go along to meeting to talk on selected topics and answer questions.

You can find out about associations in your area, or get support to develop one, from the Perth and Kinross Tenants' & Residents' Federation.

We will let you know about opportunities to get involved in shaping the delivery of services in housing through:

- 'On The House', a magazine which is sent to every tenant in Perth and Kinross twice a year.
- 'Tenant Participation Update', a short occasional newsletter which is sent to all RTOs and interested individuals who have signed up for it.
- By free text messaging - sign up to the Perth & Kinross Info service by contacting our Tenant Participation Team. Tell us you are a Council tenant, and which area you live in and you will receive occasional free text messages directly to your mobile phone about events and information of relevance to you.
- By e-mail - send us your e-mail address and you can opt to receive all tenant publications, including 'On The House', 'Tenant Participation Update', and updates to the Tenants' Guide series electronically. Contact the Tenant Participation Team for more information.
- The Consultation and Engagement Events Calendar on the [www.pkc.gov.uk](http://www.pkc.gov.uk) website, which gives information about upcoming consultation events.
- By writing to individual tenants in a particular area.
- Through advertising and information from staff in local area housing offices.



## Looking for more information?

Check the Perth & Kinross Council website [www.pkc.gov.uk](http://www.pkc.gov.uk) or contact any Council office to request a copy of:

- Tenants' Guide on Having Your Say - Getting Involved (section 13)

# Right to Buy



Perth & Kinross Council recently designated the entire Council area as 'pressured' for a period of 10 years. The designation commenced on 1 February 2012.

This designation now suspends the 'Right to Buy' for all tenants who entered their tenancy on or after 30 September 2002 and those who have transferred property, been assigned a tenancy or succeeded to a tenancy on or after this date. New tenants commencing their tenancy after 1 March 2011 have no RTB and are therefore unaffected by pressured area designations. Tenants who entered their tenancy prior to 30 September 2002 will also be unaffected by this designation provided they do not transfer tenancy in the future.

The Housing (Scotland) Act 2010 made significant amendments to previous Housing Acts. Scottish Ministers' role in designating pressured areas was removed and local authorities were given the power to make, amend and revoke pressured area designations. The maximum period for which a pressured area could be designated increased from five years to ten years and Right to Buy was removed for new tenants entering a tenancy after 1 March 2011.

Local authorities can now designate an area as 'pressured' provided they can demonstrate two requirements are met. The first is that, in the relevant part of the authority's area, the need for housing provided by the local authority or by Registered Social Landlords (RSLs) substantially exceeds (or is likely to exceed) the supply of housing which is available. The second condition is that the exercise of the Right to Buy by tenants in the area is likely to worsen the situation.

After considering the evidence presented in favour of a designation and reviewing the results of the consultation exercise which was carried out in December 2011, the Council's Housing & Health Committee agreed that a designation to cover the entire Perth and Kinross area was necessary in order to address the shortage in affordable housing and help ensure that a sufficient supply of affordable rented homes is available for future generations to access.

## **Sheltered Housing**

Right to Buy does not apply if your home is part of a designated sheltered housing complex.

## **Right to Buy**

If your tenancy began before 30 September 2002 and you are interested in exercising your Right to Buy, please contact your local area housing office.

# Right to Compensation



If you have made improvements to your Council home and you are leaving your tenancy, you may be able to get compensation from the Council for the work you carried out.

You should get written permission from the Council before carrying out any improvements in your Council house.

The Right to Compensation applies to the following improvements if they were started on or after 1 April 1994:

- bath, shower or sink
- toilet
- kitchen sink and worktops
- storage cupboards in bathroom or kitchen
- central heating, hot water boilers and other types of heating
- thermostatic radiator valves
- pipe, water tank or cylinder insulation
- loft and cavity wall insulation
- draught-proofing of external doors and windows
- double-glazing, other window replacement or secondary glazing
- rewiring, or the provision of power and lighting or other electrical fitting (including smoke detectors)
- security measures (excluding burglar alarms)

Interior decorating (painting and wallpapering) does not qualify for compensation.

## **When can I apply for compensation?**

You can apply when you know your tenancy is coming to an end at the point that you notify us.

Where the tenancy ends because of the death of the tenant, or because of other special circumstances, compensation can still be claimed.

## **How do I get compensation?**

You must make a claim in writing to the Council. The timescales for doing so are no earlier than 28 days before and no later than 21 days after your tenancy ends.

You will need to give us:

- your name and address
- what improvements you have made
- how much each improvement cost
- the date improvements began and were finished.

We may also need to inspect the improvements before paying you compensation.



## How much will I get?

You can receive up to £3000 for any one improvement, but you will not receive compensation for an improvement if the amount payable is below £50.

## What can I claim for?

You can claim compensation for:

- the cost of materials (but not appliances such as cookers or fridges); and labour costs (but not your own labour)
- you will usually need to give us an invoice to show how much your improvements cost. If you don't have an invoice tell us about that straight away.

## What if I don't agree with your decision on my claim?

You can ask us to review or reconsider the decision within 28 days of you being notified of your award, or non-award. The decision will then be reviewed by someone who had no part in the original decision.



### Looking for more information?

Check the Perth & Kinross Council website [www.pkc.gov.uk](http://www.pkc.gov.uk) or contact any Council office to request a copy of:

- Tenants' Guide on Improvements and Modernisation (section 4)
- Tenants' Guide on Permissions (section 10)
- Tenants' Guide on Ending Your Tenancy (section 11.3)

# Right to Repair



As a Scottish Secure Tenant you have a right to repair, which means that as your landlord we should carry out small urgent repairs in your home within a certain period of time.

Repairs which come under the scheme are known as 'qualifying repairs'. When you report a repair you will be told whether or not it is a qualifying repair. In addition you will also be told the maximum period in working days for the repair to be completed.

If a qualifying repair is not started on time you have the right to instruct an approved contractor to carry out the work (a list of approved contractors is given overleaf). In such cases you would also be entitled to compensation from the Housing Service.

## **How long do you have to carry out the repair?**

Repair times vary depending on the type of repair (see list overleaf). Sometimes there are circumstances beyond our control, or beyond the control of our contractor which make it impossible to do the repair within the maximum time. For example during severe winter weather. In such circumstances we may need to make temporary arrangements to extend the maximum time, but you will be kept informed of this.

## **What happens if the work is not done in time?**

If the qualifying repair isn't started within the time limit set, you can instruct another contractor from our approved list to carry out the repair. The contractor will then let us know. We will pay you £10 compensation for the inconvenience caused by this. If we have started the work, but it hasn't been completed within the maximum timescale you will also be entitled to £15 compensation.

## **How long does the other contractor have to complete the repair?**

The same length of time as who we originally asked to do the work. If they fail to carry out the repair within the set time limit you will be entitled to a further £3 compensation per working day until the repair has been completed, up to a maximum of £100 compensation for any one repair.

## **What if there is no other contractor available?**

Then you will need to wait for the repair to be carried out by our usual workers, but you would still be entitled to the £10 compensation payment.

## **What happens if I am out when someone calls to carry out the inspection/ repair?**

The time for inspection/ repair will be agreed with you ahead of time. If you are not available to allow our staff access to your home your right to repair will be cancelled. You will then need to re-report the repair and the timescales begin afresh.

## **Who pays for the repair?**

We will. Even if you have instructed another contractor to carry out the repair they will send the bill directly to us.

The only exception to this may be where the repair is necessary to fix damage caused by you or a member of your household.



## Timescales for qualifying repairs

### Emergency (within 24 hours):

- total loss of electric power
- unsafe power or lighting sockets or electrical fitting
- total loss of water supply
- total or partial loss of gas supply
- blocked flue to open fire or boiler
- total or partial loss of space or water heating (1 Nov - 30 Apr)
- blocked or leaking foul drain, soil stack or toilet (where no other working toilet)
- toilet not flushing (where no other working toilet)
- leaking from water or heating pipe, tank or cistern (temporary repair if necessary)

### Appointments (within 3 working days):

- partial loss of electric power
- partial loss of water supply
- total or partial loss of space and water heating (1 May - 31 Oct)
- blocked sink, bath or basin
- tap which cannot be turned
- loose or detached banister or handrail
- rotten timber or stair tread

### Appointments (within 7 days):

- leaking roof (temporary repair if necessary)
- door entryphone not working
- extractor fan in kitchen or bathroom not working

APPROVED CONTRACTORS		
	Main Contractor	Alternative Contractor
Joiner	Building Services (PKC)	Meldrum Construction
Electrician	Building Services (PKC)	Tay Electrics
Plumber	Building Services (PKC)	John Cruickshank
Roofer	Building Services (PKC)	Pankhurst Decorators
Mason	Building Services (PKC)	Pankhurst Decorators
Domestic Gas Repairs	WRB Gas	John Cruickshank



### Looking for more information?

Check the Perth & Kinross Council website [www.pkc.gov.uk](http://www.pkc.gov.uk) or contact any Council office to request a copy of:

- Tenants' Guide on Repairs and Maintenance (section 3)