



Habinteg
housing association
(Ulster) Ltd

RIGHT TO REPAIR

The “Right to Repair”, which is a Citizens’ Charter initiative is effective from 1 March 1999. It is designed to enable Housing Association tenants to have urgent, minor repairs which affect their health and safety completed quickly at no cost to themselves. It includes small, urgent repairs up to a maximum cost of £250.

Under the “Right to Repair” scheme tenants will become entitled to compensation when the contractor fails to complete the “qualifying repairs” within the prescribed period (which will be twice the stated response time for any of the qualifying repairs). Tenants will be advised when the repair request is acknowledged whether the repair ordered is “qualifying” and the amount of compensation paid will be modest to reflect the delay in completing the repair and not the actual cost of the repair. Entitlement to compensation is removed if exceptional circumstances occur which are beyond the control of the Association. The majority of qualifying repairs will be for electrical or plumbing work although some will involve building work. A list of examples is shown overleaf.

To avail of the “Right to Repair” scheme the tenant must contact the Housing Association advising that:

- (a) The reported repair has not been completed within the agreed published response time.
- (b) The repair has been reported and acknowledged by the Association as being “qualifying”.

Where there is any doubt about the status of a reported repair and the Association is satisfied that it does not qualify the tenant will be advised of this in writing.

Exemptions from the Scheme

The “Right to Repair” does not apply where -

- (a) The tenant has advised the Association that they no longer want the qualifying repair carried out.
- (b) The tenant has failed to provide reasonable access details for the contractor.
- (c) The tenant has failed to provide access for an inspection or for the repair to be carried out.

The “Right to Repair” is limited to the dwelling house and does not normally extend to common parts and does not include repairs for which the tenant is responsible or has permitted to become necessary as a result of the tenant’s negligence or default.

cont...



Compensation

Where a qualifying repair has not been completed within the prescribed period compensation will be paid to the tenant at the rate of £10 for the first day or part day and £2 for each following day or part day during which the repair remains outstanding – up to a maximum limit of £50.

Typical Repairs Qualifying Under the “Right to Repair” – (Health and Safety)

1. Total or partial loss of electrical power. eg Faulty Circuit (Safety)
2. Unsafe power, lighting socket or electrical fitting. eg Loose wires, broken socket (Safety)
3. Total or partial loss of water supply. (Health hazard)
4. Total or partial loss of gas or oil supply (where supplied by the Association (Health) eg Lack of heating
5. Blocked flue to open fire or boiler. (Health) eg Lack of heating
6. Total or partial loss of space or water heating (where no alternative form of heating has been offered). (Health) eg Lack of heating
7. Blocked or leaking foul drain, soil stack or (where there is no other working toilet in the dwelling house) toilet pan. (Health)
8. Toilet not flushing (where there is no other toilet in the house). (Health)
9. Blocked sink, bath or basin (where there is no other means of bathing/showering or personal washing in a room designed for that purpose and where the blockage has not been caused by the tenant’s negligence). (Health)
10. Tap which cannot be turned. - (Health) eg for washing, etc
11. Leak from water or heating pipe, tank or cistern. (Health & Safety) may cause ceiling to collapse
12. Leaking roof. (Health)
13. Insecure external window, door or lock. - (Safety) eg Security to dwelling
14. Loose or detached banister or handrail. - (Safety) eg may collapse and fall
15. Rotten timber flooring or stair tread. - (Safety) eg may fall through
16. Door entry phone not working (where the dwelling is tenanted by a person who is wheelchair dependent or who has severe mobility problems or where the dwelling is in a block of flats where the door entry phone opens a communal main entrance door. – (Safety) eg access and security
17. Mechanical extractor fan in internal kitchen or bathroom not working. – (Health) eg extract fumes

Please contact your Housing Officer if you would like further clarification over the “Right to Repair”.