

Right to Repair - Scotland only

The Housing (Scotland) Act 2001 gives the service user the right to have small urgent repairs carried out by the landlord within a given timescale. The Right to Repair scheme covers certain repairs up to the value of £350. If Sanctuary Scotland (SS) does not carry out the repair within the time limit set, the service user may be entitled to compensation.

Upon receiving a report of a repair, the Customer Service Centre (CSC) will:

- explain if the repair is covered by the Right to Repair scheme;
- explain the service users' rights under the Right to Repair scheme; and
- tell the service user the date by which the repair should be completed.

In some cases, SS may need to inspect the repair to find out if it is a qualifying repair or not. There may be exceptional circumstances beyond SS or the contractor's control which makes it impossible to do the repair within the time allowed (for example, severe weather). In these circumstances, the service user **MUST** be notified of the time extension for the repair to be completed.

Repair times depend on the type of repair and are statutory requirements. The time does not include the day that the repair was reported.

Repairs covered by the scheme

Repair	Time
Blocked flue to open fire or boiler	1 working day
Blocked or leaking foul drains, soil stacks or toilets where there is no other toilet in the house	1 working day
Blocked sink, bath or drain	1 working day
Loss of electric power	1 working day
Loss of water supply	1 working day
Insecure external window, door or lock	1 working day
Unsafe access path or step	1 working day
Significant leaks or flooding from water or heating pipes, tanks or cisterns	1 working day
Loss or partial loss of gas supply	1 working day
Loss or partial loss of space or water heating where there is no alternative	1 working day
Heating available	1 working day
Toilet not flushing where there is no other toilet in the house	1 working day
Unsafe power or lighting socket or electrical fitting	1 working days
Partial loss of electric power	3 working days
Partial loss of water supply	3 working days
Loose or detached banister or hand rail	3 working days
Unsafe timber flooring or stair treads	3 working days
Mechanical extractor fan in internal kitchen or bathroom not working	7 working days

Repairs covered by the scheme

The timescales shown above are the maximum period in working days from the day after a service user reports a qualifying repair or inspection (excluding weekends and public holidays). If SS do not carry out the repair within the specified time limit the service user may be entitled to compensation.

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

The other contractor has the same length of time to carry out the repair as SS does.

What happens if the work is not done in time?

If SS do not start the repair within the time limit set the service user can ask an alternative contractor from SS approved contractor list to out the repair.

The CSC will be able to provide the service users with the names and contact details of alternative contractors. Service users *cannot* use a contractor who is not on the list.

What if the service user misses an appointment?

If the service user misses the agreed appointment SS will cancel the Right to Repair. However, the service user can apply for a new appointment.

Making an appointment beyond the statutory timescale

If the service user chooses to make an appointment beyond the set statutory timescale this will not be treated as a Right to Repair and the service user must be advised as such.

The Right to Repair does not apply if:

- the date for repair was extended due to the service users request for an alternative appointment for repair work;
- the repair has an estimated value of £350 or more; and/or
- the service user fails to provide access for inspection or for the repair to be carried out, having been given a reasonable opportunity to do so. In which case, the right to repair will be cancelled and the service user will have to re-apply and start the process again.

Paying for the repair

SS will pay for the repair. Even if the service user has requested an alternative contractor from SS approved contractor list to carry out the repair, the contractor will still send the invoice to SS.

How a service user can claim compensation

If the repair is not completed in the time allowed, SS will pay the service user £15 compensation for the inconvenience. In addition to this, the service user is entitled to a further £3 for each working day up to the day the repair is completed - up to a maximum payment of £100. Compensation will automatically be paid under Right to Repair if a qualifying repair has not been completed within the required time frame.