

Meet the Housing Ombudsman Questions & Answers

Here's a summary of the questions and answers from our Meet the Housing Ombudsman event on 30 November 2023.

You can view a recording from the session is available here: <https://youtu.be/cSbnaPLhaSQ>

Customer questions and Housing Ombudsman responses

- 1. Does the Ombudsman maintain oversight of all issues reported about a particular landlord in order to take further action if they are deemed to be inadequate? Or is there a separate regulatory body?**

Answer from the Ombudsman:

The Ombudsman uses a number of methods to monitor emerging themes and issues across the sector or with certain landlords. Internally we have an intelligence log where all caseworkers add information about landlords or certain complaint issues. We review our data to see how many landlords have high-risk cases or how many findings have been made against them.

Paragraph 49 of our Scheme rules states that we can look wider than an individual complaint to a specific landlord. We have done this now with Clarion, Lambeth and Birmingham. Where there is a specific issue affecting the whole of the sector – we often do Spotlight reports. For example, our Spotlight on Damp and Mould was one of the first of its kind and we were ahead of the sector on identifying this as a specific issue. So the short answer is yes.

Building issues

- 2. We have had structural issues since we moved into our home in 2007 and after many emails, numerous complaints from residents, including the involvement of the Housing Ombudsman, nothing has been resolved. What are our other options when both parties have failed us.**

Answer from the Ombudsman:

We would need to know more details before we can give tailored advice on your situation, as this will depend on what the outcome of our previous involvement was and what has happened since. You are welcome to contact us on 0300 111 3000 or by email at info@housing-ombudsman.org.uk to discuss this further.

3. What does the Housing Ombudsman class as an acceptable timeframe to rectify problems within communal areas in a block of flats?

Answer from the Ombudsman:

This will depend on the nature of the issues reported. We recommend that you check your tenancy agreement or lease, any residents' handbook and the landlord's website, to see if the landlord has provided set timescales within which it aims to respond to your report. The landlord might also publish policies and procedures setting out how it manages communal repairs and issues, which would normally be available on its website. We take any published timeframes into account when investigating complaints and reaching a decision on the timeframe within which a landlord should respond.

4. Can the law be changed to give the managing agent and landlord rights to include sub-tenants of A2Dominion (and housing associations) within communications with the housing association? As a customer I have to rely on informal dialogue from private purchase residents, as A2Dominion do not attend landlord and management agent meetings.

Answer from the Ombudsman:

We do not have the power to change the law in relation to housing management issues. However, we may be able to look at how A2Dominion has communicated with you if you hold a tenancy or lease with A2Dominion. You are welcome to contact us on 0300 111 3000 or by email at info@housing-ombudsman.org.uk to discuss this further.

5. I'm a leaseholder with A2Dominion. Since 2001 many tenants have complained about the lack of soundproofing in the block. Tenants have received ASBOs but the problem is the building. You shouldn't be able to hear your neighbours talking, going to the toilet etc. A2Dominion firstly said they were aware of the problem but didn't have the finances to rectify it. Now they're ignoring the issue and placing the detective work onto the tenants rather than take the complaints seriously. After 22 years of tenants arguing and complaining they need to provide adequate housing where personal/private living noise isn't heard by those outside of their immediate family. Can you help?

Answer from the Ombudsman:

It is likely that this is a complaint we can investigate, but there may be limits to how far back our investigation can go. You would need to raise a complaint with A2Dominion and take this through its complaints procedure, and if you are dissatisfied with the outcome then you can refer it to us. In the meantime, it may be helpful to get advice on the situation. The Leasehold Advisory Service provides free advice to leaseholders and can be contacted on 020 7832 2500 or at [Contact - Leasehold Advisory Service \(lease-advice.org\)](http://www.lease-advice.org)

Complaints

- 6. I have complained to A2Dominion for more than 4 months due to the smell from rubbish coming into my home. The issue is still not resolved, and it could impact on my health. Can I send an email to the Housing Ombudsman, or do I need to wait for certain period?**

Answer from the Ombudsman:

If you have not received a response to your complaint, then we can work with you and your landlord to ensure a response is provided. We would need to know a bit more about the stage your complaint has reached with your landlord to work out how we can help you. Please can you contact us about this – you can call us on 0300 111 3000, email us at info@housing-ombudsman.org.uk, or complete our online form at [Make a complaint - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk)

- 7. In my experience, A2Dominion stops you from completing the complaints procedure. How can the Housing Ombudsman make A2Dominion fulfill the complaints process?**

Answer from the Ombudsman:

A2Dominion is required to comply with the [Ombudsman's Complaint Handling Code](#). This sets out various requirements for a member landlord's complaint handling, including timeframes for responses. If you raise a complaint and do not get a written response from the landlord, then you can contact us for assistance. We will contact the landlord and ask it to respond to your complaint. We also have powers to order the landlord to respond if necessary.

- 8. Can the Housing Ombudsman do 'mystery shopper' calls rather than A2Dominion keep telling everyone 80% of their customers are satisfied with their service?**

Answer from the Ombudsman:

The Regulator of Social Housing monitors the performance of social housing landlords. For more details, please visit [Regulator of Social Housing - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

- 9. A2Dominion use the lack of transparency to ignore requests for service. For instance, you log an issue. They then say it has been handed over to another team so close the ticket. This other team then does nothing. Also, the issues drop between the cracks between A2Dominion and Metropolitan. How are you forcing A2Dominion and (Metropolitan) MVTH to actually provide a good service?**

Answer from the Ombudsman:

If you request a service from your landlord and this is not actioned, then you can raise a complaint with your landlord about the failure to action your request. All social housing landlords are required to comply with our [Complaint Handling Code](#). This sets out requirements for member landlords, including timeframes for responding and what should be included in written responses. If you raise a complaint and do not get a response from your landlord, then you can contact us for assistance. We will contact your landlord and ask it to respond to your complaint. In addition to requiring that all social landlords comply with our Complaint Handling Code, we can make a wide range of orders as a result of our investigations into complaints. These orders aim to put things right for the resident as well as improve the landlord's wider service delivery.

10. What happens when a housing association does not keep to their own complaints procedures? I had a response saying, 'we will come back to you' and they did not. Can we go to the Housing Ombudsman?

Please refer to answer from question 9 from the Ombudsman.

11. What happens if the landlord never resolves your complaint?

Answer from the Ombudsman:

If you are unhappy with the landlord's response to your complaint at the end of its complaints procedure (stage 2), you can refer your complaint to the Housing Ombudsman. If the complaint is about something we can consider then we can carry out an investigation into your complaint. Where we find something has gone wrong and not been put right by the landlord, we can make a wide range of orders to resolve the matter complained about. Landlords are required to comply with our orders. If your landlord is not progressing your complaint, we can provide help through our dispute support function.

12. Who is holding the Housing Ombudsman accountable? I submitted a complaint to it many years ago and it was ignored.

Answer from the Ombudsman:

We are very sorry that you did not receive a response from us. We recognise that we have not always provided the level of service that we aim to provide, and we have taken steps in recent years to address this. We have recruited a large number of caseworkers to meet the increasing demand on our service and we have set up a dedicated complaints team to deal with complaints about our service. We have also appointed an Independent Reviewer of Complaints to review the handling of complaints about our service and make recommendations for improved practice. This has all led to a huge number of changes that have been or are still being implemented. We also have our Resident Panel, which holds us to account and provides suggestions on where we can improve. We also are accountable to the Department for Levelling Up, Housing and Communities, who review our performance and make sure we are hitting targets.

Compensation

13. Who awards compensation? Or do you need to ask for this in your complaint?

Answer from the Ombudsman:

If this is in reference to landlords, we expect them to have a compensation policy and there should be no need for residents to explicitly request this. If the matter is subsequently brought to us, we will consider whether the landlord awarded compensation and the appropriateness of the amount. We have an internal remedies guidance for caseworkers to follow. There is no need for a resident to ask us to consider compensation as we do so as a matter of course. Landlords have the discretion to award compensation via the complaint procedure.

Our [Complaint Handling Code](#) and the [Dispute Resolution Principles](#) require landlords to be fair, put things right and learn from outcomes. When the Housing Ombudsman investigates, our role is to decide if the landlord was responsible for maladministration or service failure. If it is, then we will decide how the resident can be put back into the position they should have been in had

the error not occurred. Sometimes this is not fully possible – so the Housing Ombudsman can award compensation to recognise the impact on the resident.

Service charge

14. What obligations does the housing association have to provide Actual service charge breakdowns more than a single line item for circa £5,000+ per annum? They are legally required to provide these under Section 22 of the Landlord and Tenant Act 1985 but there are so many people who are still not receiving support for their service charge requests from A2Dominion.

Answer from the Ombudsman:

The Leasehold Advisory Service's guide to service charges explains what the written summary must contain and how you can make a request to inspect the supporting documents: [Service charges and other issues - The Leasehold Advisory Service \(lease-advice.org\)](#). If you have made a request to the landlord in connection with the service charge and do not believe it has responded appropriately, then you can raise a complaint with the landlord about its handling of the matter. This is likely to be a complaint the Ombudsman can investigate once you complete the landlord's complaints procedure.

15. Can the Housing Ombudsman instigate an audit of service charge accounts? Our accounts are always wrong, and this year they have gone crazy with what they are trying to charge us, a 45% increase in total. How much of an increase is actually legal?

Answer from the Ombudsman:

We can investigate some complaints about service charges, including errors in accounting. You would first need to raise this as a complaint with your landlord and take this through its complaints procedure. This is a complex area of our jurisdiction, and we will let you know after you refer your complaint to us if this is a matter we can investigate. We have recently published a report [on this topic](#).

We cannot investigate complaints that are solely about the level of a service charge increase. If you pay a variable service charge (these are based on the actual or estimated cost of the services) then you may be able to make an application to the First Tier Tribunal. For more information about this, go to <https://www.justice.gov.uk/tribunals/residential-property#leasehold>. If you pay a fixed service charge (where a fixed amount is charged regardless of the actual costs to the landlord) any dispute about the level or reasonableness of the charge should be referred to court so you would need to get legal advice on this.

If you are a leaseholder, then it may be helpful to contact the [Leasehold Advisory Service](#) for free advice on your service charges. They can be contacted on 020 7832 2500. They also have advice guides available on their website and you may find the following guide helpful: [Can my landlord increase my service charge? - The Leasehold Advisory Service \(lease-advice.org\)](#)

16. How can leaseholders buy further leasehold for shared ownership? I have been informed by A2Dominion that they don't own the leasehold and are not going to buy further leasehold.

Answer from the Ombudsman:

We do not provide general housing advice as we have a very defined role; this is to provide the final decision on disputes between residents and member landlords, and to support the resolution of complaints through member landlords' complaints procedures. The Leasehold Advisory Service provides free advice on leasehold issues and should be able to advise you further. You can contact them on 020 7832 2500 or via their website at [Contact - Leasehold Advisory Service \(lease-advice.org\)](#). Advice guides are also available on their website and you may find their guide to shared ownership leases helpful: [Shared Ownership Leases - The Leasehold Advisory Service \(lease-advice.org\)](#)

17. If bin and cycle stores have been broken into by non-resident and are now giving free access to the homeless, street drinkers and drug takers, what would the Housing Ombudsman feel is an appropriate time to repair or replace the doors and make the site secure?

Answer from the Ombudsman:

If we investigated this complaint, we would first look at the landlord's policies and procedures to see what timeframes apply to communal repairs. We would also consider what is reasonable in all the circumstances of the case. We recommend that you ask the landlord to confirm the target response time when you report the repair and for copies of any relevant supporting policies and procedures. If you feel that the landlord is not responding quickly enough, then you can raise a complaint with it about its handling of the repair.

Customer questions and A2Dominion responses

Service charge

18. How do you measure the accuracy of our service charge? What process is in place to prevent errors?

Answer from A2Dominion:

Our service charge costs go through a thorough review process. Each year, our Neighbourhood and Leasehold Managers:

- Review what services will be delivered at developments.
- Compare the previous financial years charges to highlight spikes in cost or services that were previously not provided.
- Investigate any discrepancies with our Contract Managers.

For homeowners, we produce an estimate in Feb/March. Actuals are then produced between August/September.

19. Can I see copies of invoices relating to my service charge?

Answer from A2Dominion:

If you are a homeowner and would like to see a copy of the invoices relating to your Actuals, you can request this through our [online service charge query](#) form or call us on 0800 432 0077 within six months of you receiving your Actuals.

20. Can I query my service charge?

Answer from A2Dominion:

If you notice a cost you are concerned about or would like to query your service charge, please complete the form in [My Account](#) or call us on 0800 432 0077.

Governance

21. What is happening with your governance and viability as you are on the 'gradings under review' list by the Regulator of Social Housing?

Answer from A2Dominion:

Since our Meet the Housing Ombudsman event took place, we have now received the outcome of our Rating Under Review from the Regulator of Social Housing. You can read about it here: <https://a2dominion.co.uk/newsroom/2024/Update-on-our-regulatory-grading>.

Complaints

22. Your website only focuses on positive feedback. Clearly, many residents in a number of schemes are not happy with contractor performance, unjustified yearly service charge increases etc. Why have you not captured this negative feedback?

Answer from A2Dominion:

Your [feedback and involvement](#) are really important to us. We have various ways of asking for and receiving feedback from you, through surveys, focus groups, community events, resident associations and through our staff.

As a result of your feedback, we've made a range of improvements. A recent example of this is the [appointment of a new repairs contractor](#). We've also listened to your feedback and launched [a project](#) to review how we manage lifts in your buildings.

Our new [Customer Involvement Programme](#), also provides an opportunity for you to get involved with shaping and improving the services we deliver.

23. What is the Service Level Agreement (SLA) to reply to complaints?

Answer from A2Dominion:

We view complaints as a valuable source of feedback and learning for our services, helping to drive improvement and maintain a positive relationship with you.

Our Complaints and Resolution service is responsible for handling complaints. The person handling the complaints will have appropriate skills and no conflict of interest with the complaint they are investigating.

We have a two-stage complaint process. The table below sets out our timescales for responding to complaints once we have received them:

Activity	Timescale
We let you know that we have received the complaint and log it on our system	Within 5 working days of complaint being received
We provide a response to the Stage 1 Complaint	Within 10 working days of a Stage 1 Complaint being logged
We provide a response to the Stage 2 response	Within 20 working days of a Stage 2 Complaint being escalated

Read our [complaints policy](#) for more information.

24. Do A2Dominion deduct compensation awarded from rent arrears?

Answer from A2Dominion:

We do not deduct compensation where the Housing Ombudsman has made an order for compensation through their determination.

However, as a not-for-profit housing association, we do deduct compensation in our internal process for Stage 1 or Stage 2 complaints, if there are rent arrears.

25. What happens when a complaint is reported to the Customer Contact Centre by phone?

Answer from A2Dominion:

Once complaint details are logged by our Customer Contact Centre, it is the responsibility of our dedicated Complaints and Resolution Team to ensure we have understood the nature of your complaint correctly and confirm the details taken by our Customer Contact Centre with you. At this point you can provide further information to your caseworker if you need to.

On some occasions, we may require longer than 10 working days to investigate your complaint. Your caseworker will let you know if more time is needed and will keep you updated on our progress.

Leasehold

26. Are leaseholders able to take over the management of a block from A2Dominion, through Right to Manage. Do all leaseholders need to agree or only a percentage?

Answer from A2Dominion:

Right to Manage is the right for the leaseholders of a building containing flats to take over management of the building from the freeholder, through a Right to Manage company. At least half of the flats in the building, held by long leaseholders, must take part. You can read more about this on the [Leasehold Advisory Services' website](#).

Housing

27. How often do Housing officers visit their patch for inspection?

Answer from A2Dominion:

We hold regular estate inspections and the frequency of these is different for each estate depending on their size and the type of services that are on the estate.

The estate inspection is led by your local Neighbourhood, Leasehold, or Property and Safety Manager. As part of the inspection, they'll check the condition of your estate, buildings and communal areas to see if anything needs fixing. If you don't know who is responsible for your building, please [get in touch with us](#). You can also [report an estate issue online](#) or contact us on 0800 432 0077.



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