



# In a Fix

**An analysis of housing repairs  
advice across the Citizens Advice  
network in Scotland**

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Aoife Deery

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## Who we are

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Citizens Advice Scotland (CAS), our 59-member Citizen Advice Bureaux (CAB) and the Extra Help Unit, form Scotland's largest independent advice network. Scotland's Citizens Advice Network is an essential community service that empowers people through our local bureaux and national services by providing free, confidential and independent advice. We use people's real-life experiences to influence policy and drive positive change. We are on the side of people in Scotland who need help and we change lives for the better.

During 2020-21, the entire Citizens Advice network provided advice and assistance to over 171,000 individuals; this equates to one in every 26 adults living in Scotland. The network put almost £147 million back into people's pockets during this time, with every £1 invested in core advice funding returning £14 in gains for people. Our extensive footprint is important in helping us understand how issues impact locally and nationally across the country and the different impacts that policies can have in different areas.

# Executive summary

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- > The Scottish Government wants to improve the quality of homes in Scotland by introducing a new tenure-neutral housing standard, but not enough is known about the actual quality of housing stock and common housing repairs.
- > We examined our quantitative and qualitative data to see if it could tell us anything about the scale and types of repairs issues that CAB clients experience.
- > We found that repairs advice made up just over 10% of all housing advice, averaging over 5,600 pieces of advice over the last two years.
- > We also found that repairs clients often need additional advice on another area. These extra advice needs differed depending on whether the client lived in the private or social rented housing or owned their home.
- > Our social policy feedback system highlighted serious cases of clients being left without heating, hot water or other basic essentials.
- > Damp and mould were often the cause or consequence of other repairing issues and appear to be particularly challenging to resolve. The Cost of Living crisis is making it harder for people to afford to heat their home properly, which can lead to damp and mould appearing, or getting worse.
- > Many landlords carry out repairs quickly and on time, but others delay or avoid repairs for unacceptably long periods of time.
- > Tenants often are not aware of their rights in regard to getting repairs done and are often unwilling to push for repairs to be completed for fear of eviction.
- > Based on analysis of our evidence, we make a number of recommendations aimed at helping tenants and landlords to resolve repairing issues in a more timely and fair manner.
- > These recommendations are:
  1. Scottish Government to develop clearer information and pathways to resolution for both private and social tenants, including clearer timescales.
  2. COSLA to facilitate the urgent sharing of good practice for treating damp and mould across local authorities.
  3. Scottish Government to look at ways of expanding funding for local authorities to carry out repairs.
  4. Scottish Government and local authorities to develop harsher penalties for landlords who attempt to evict tenants for reporting a repair.
  5. Scottish Government and lenders to develop insurance options for private landlords to enable them deal with repairs issues if cash flow is a barrier.
  6. Scottish Government to review and evaluate the impact of the letting agent code of practice.
  7. Scottish Government to review and evaluate the code of conduct for factors, particularly around tenant and owner participation in factor processes.



# Introduction and context

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Repairs advice is a consistently highly sought out area of advice across the CAB network. This research examines the evidence we hold about the scale and nature of repairs advice, in order to inform our approach to the proposals regarding repairs and the development of a tenure-neutral Housing Standard in the upcoming housing bill.

Specifically, we examined the data to find out:

- > What volume of repairs issues the CAB network has advised on over the past two years.
- > What type of repairs issues the CAB network has advised on over the past two years.
- > What the barriers are to getting repairs issues remedied.

## A New Housing Standard

In the SNP's manifesto in 2021, they committed to introducing a new Housing Standard by 2025. This new standard would cover all homes (including agricultural properties, mobile homes and tied accommodation) and “include aspects such as repairing and safety standards, digital connectivity, futureproofing of homes, and energy efficiency and heating standards.”<sup>1</sup> More detail on this proposed standard can be found in Part 4A of *Housing to 2040*.<sup>2</sup>

This was included in the Scottish Government's draft rented sector strategy “A New Deal for Tenants”<sup>3</sup> which was published in December 2021. The Scottish Government set out that within the new standard, there would be “no margins of tolerance, no exemptions and no “acceptable levels” of sub-standard homes in urban, rural or island communities, deprived communities or in tenements. This will mean our existing homes will keep pace with new homes with no one left behind.” There was recognition that there may be particular difficulties with cost and accessibility in reaching this new standard, especially for homes in certain areas or of certain types. However, it was made clear that these were some of the homes most in need of improved standards and likely to house families with the fewest other housing options open to them. A new “help-to-improve” policy approach was proposed in the strategy, aimed at designing “new support for repairs and improvement which works alongside support for energy efficiency and zero emissions heating systems” as part of the Heat in Buildings Strategy.<sup>4</sup>

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<sup>1</sup> SNP (2021) SNP 2021 Manifesto: [Scotland's Future, Scotland's Choice](#)

<sup>2</sup> Scottish Government (2021) [Housing to 2040](#)

<sup>3</sup> Scottish Government (2021) [A New Deal for Tenants: Draft Strategy Consultation Paper](#)

<sup>4</sup> More detail can be found on pages 96-99 of the New Deal for Tenants document.

# Findings

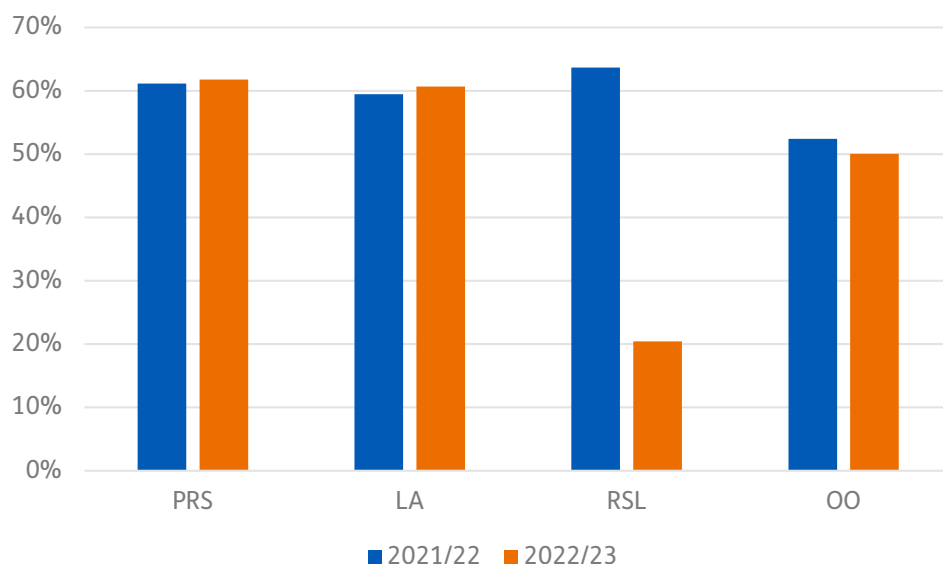
## Cross advice

A key part of the Citizens Advice network's unique offer is that a holistic approach is taken, and clients often receive advice on a number of different topics. We have recently developed our capacity to analyse the different areas of advice each client receives, which we term "cross-advice". Analysis of our data showed that repairs clients frequently sought additional advice in 2021/22 and 2022/23, which was most often in regard to other housing issues, but also on wider topics such as benefits and debt. The results also showed an increase in demand for energy related advice, likely due to the Cost of Living crisis.

## Clients seeking repairs advice and other housing advice

Chart 1 shows that between 50-60% of all repairs clients required at least one other type of housing advice when they contacted a bureau. While the proportion of each tenure<sup>5</sup> is mainly consistent between the two years, there is an evident sharp drop between 2021/22 and 2022/23 in the proportion of Registered Social Landlord (RSL) repairs clients who needed additional housing advice. This could be due to the need for additional housing advice being met by their RSL or another organisation, or less need for other housing advice overall among RSL repairs clients in this particular year.

Chart 1. Proportion of repairs clients who also required other housing advice

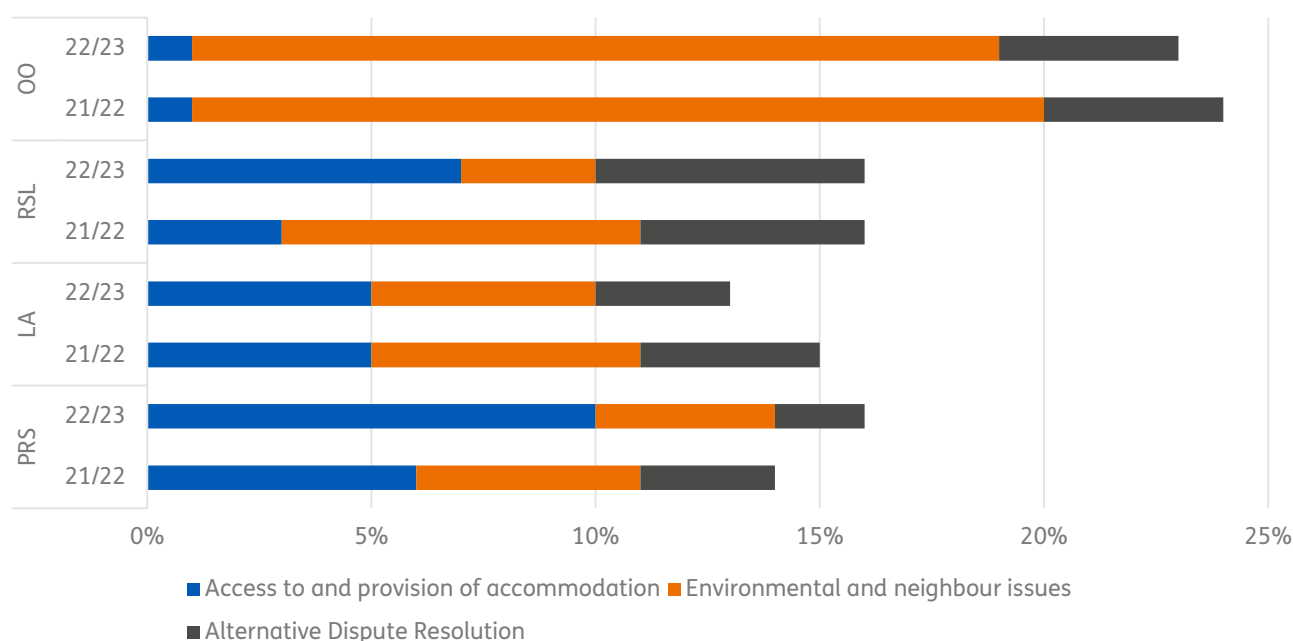


<sup>5</sup> Housing tenure describes the legal status under which people have the right to occupy their accommodation. There are four main types of tenure/housing sectors which we categorise in this report as Private Rented Sector (PRS), Local Authority/council rented (LA), Registered Social Landlord (RSL) and Owner Occupier (OO).

# Findings

Looking more in detail at the most common additional housing advice repairs clients across the tenures require (Chart 2), it appears that Private Rented Sector (PRS) repairs clients were more likely to require advice on Access to and provision of accommodation, which may indicate that they wished to leave their current accommodation, possibly due to the repairs issue they reported. We can see that owner occupier repairs clients were overwhelmingly more likely across the two years to seek advice on Environmental and neighbour issues, which can often relate closely to repairs issues such as if a neighbour is unwilling to contribute to a communal repair. We can also see that there is a similar proportion of repairs clients across all tenures who sought advice on Alternative Dispute Resolution, with RSL tenants slightly more likely to do so than clients in other tenures. Although not reported in Chart 2 as it was not a common area across all tenures, we found that around 7% of PRS repairs clients also required advice on Homelessness – threatened, which was much higher than any other tenure.

Chart 2. Common other housing advice areas required by repairs clients



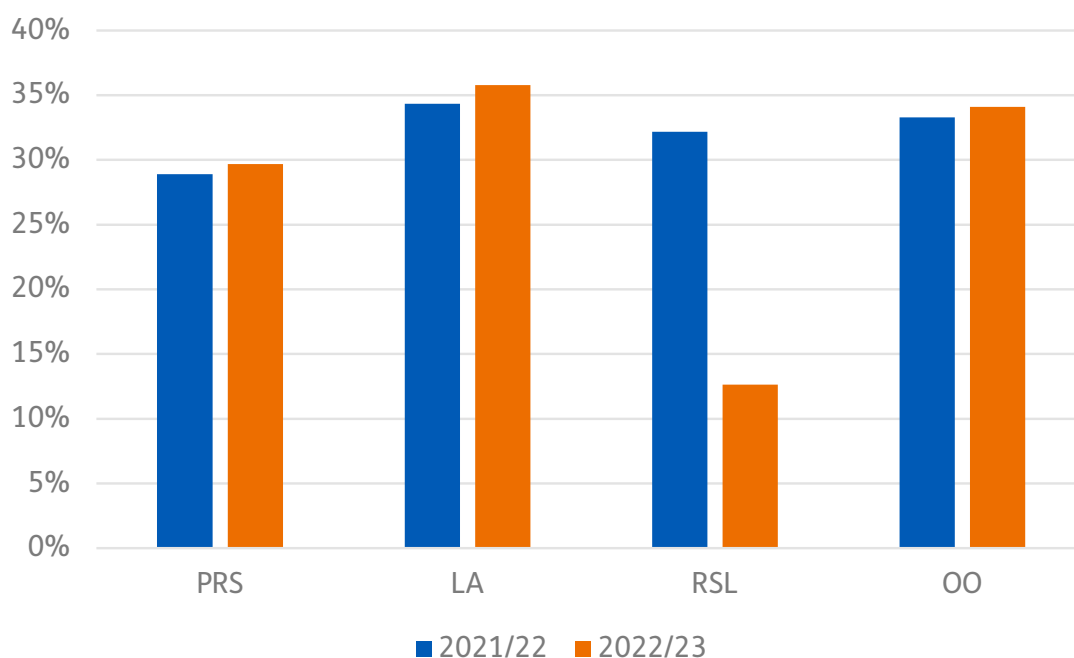
## Findings

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### Clients seeking repairs advice and other non-housing advice

Chart 3 demonstrates that generally between 30-35% of repairs clients also needed other non-housing type advice. Again, we can see a sharp drop among RSL repairs clients between 2021/22 and 2022/23 needing other non-housing advice.

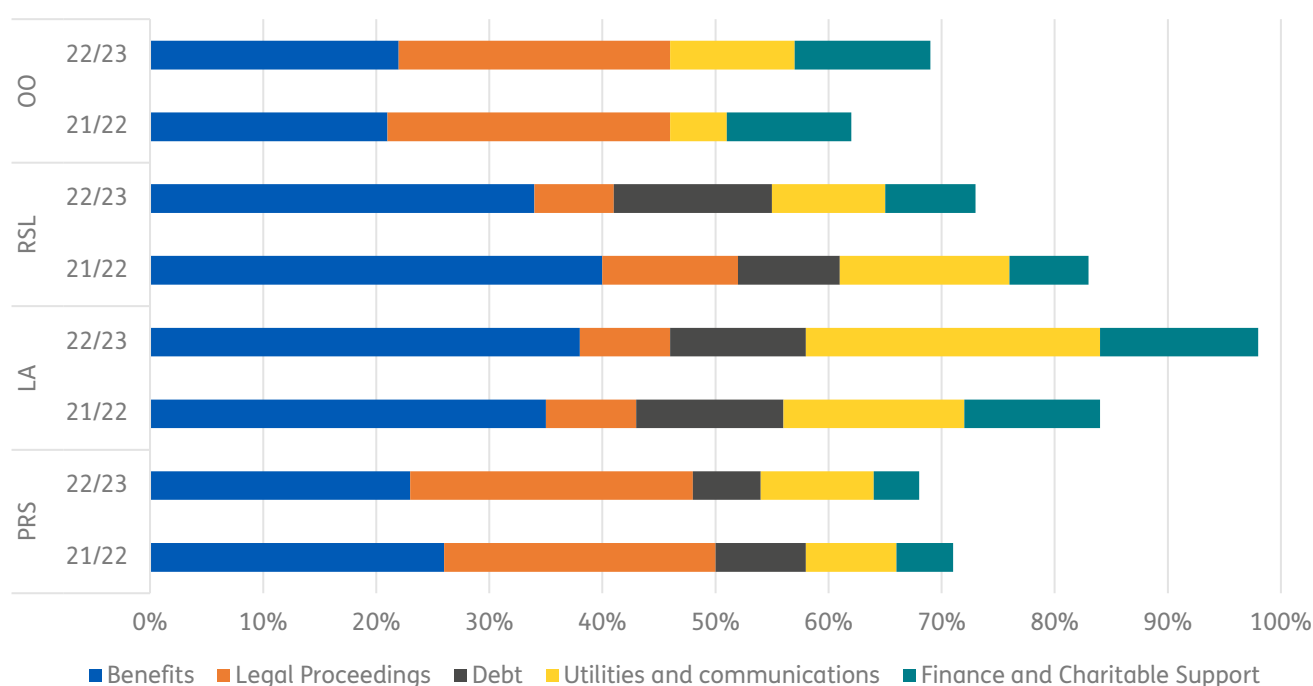
Chart 3. Proportion of repairs clients who also required non-housing advice



# Findings

Chart 4 reveals some detail as to the most common non-housing advice required by repairs clients: Local Authority (LA) and RSL repairs clients were more likely than PRS and Owner Occupier (OO) clients to need advice on Benefits, and conversely, PRS and OO clients were more likely to seek advice on Legal Proceedings. Debt was a notable additional area of advice needed by repairs clients in the PRS, LA and RSL sectors, but interestingly no OO repairs clients required debt advice. We also saw an increase in demand for advice on Utilities and communications between the two years across repairs clients in all tenures except RSLs, which suggests effective work happening in this sector to protect tenants from the ongoing effects of the Cost of Living crisis. Lastly, the proportion of repairs clients within each tenure who also needed advice on Finance and Charitable Support remained mainly consistent across 2021/22 and 2022/23.

Chart 4. Common other non-housing advice areas required by repairs clients





# Findings

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## Social policy feedback analysis

### Analysis of repairs issues

As described in the appendix at the end of this report, we took the approach of thematically analysing SPF cases. Our analysis gave rise to six themes, which are:

1. Water, damp and mould
2. Fixtures and fittings
3. Structural and external
4. Energy efficiency and heating
5. Damage
6. Other

The vast majority of the cases we looked at concerned PRS and SRS tenants although a very small number (less than 5) concerned owner occupiers who were affected by repairs issues in mixed tenure blocks of flats. There is also frequently overlap between themes, and many cases featured more than one theme. It was rare for a case to include only one repairing issue, indicating that tenants may be waiting a significant amount of time for repairs to be resolved that another repairing issue arises, multiple repairing issues happening concurrently, or that some repairing issues lead to others if not resolved in a timely manner.

#### 1. Water, damp and mould

The theme of water, damp and mould was the most common theme across all of the cases we analysed. Like several other themes, it takes in a wide variety of experiences, and we have found that water, damp and mould can be the cause or consequence of several other types of repairing issues and have several impacts. As an example, in one case, water ingress due to blocked gutters caused wood rot and made rooms unusable due to damage to furniture and belongings.

Damp and mould, often linked to poor ventilation, inadequate heating and other repairing issues was prevalent in many cases. This is an area of close current scrutiny following the avoidable death of the toddler Awaab Ishak, who died in 2020 “as a result of a severe respiratory condition caused due to prolonged exposure to mould in his home environment.”<sup>6</sup> Many of the cases involving damp and mould referred to the health impacts being experienced by the household, as well as being a significant cause of stress and worry, especially when it was longstanding and recurring, even after attempts at treatment. We also found that it was often difficult for tenants and their landlords to ascertain the source of the problem, meaning that the problem kept recurring.

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<sup>6</sup> Brown, M. and Booth R. (2022) [Death of two-year-old from mould in flat a ‘defining moment’, says coroner](#) for The Guardian

# Findings

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## ! Citizens ! ALERT

An East of Scotland CAB reports of a client who moved into a flat with their partner six months ago. They noticed damp and mould in the bedroom and reported it to their landlord straight away. The client and her partner both have asthma and find that their breathing is affected when they go into the bedroom. The landlord says there is an issue on the outside of the property causing it and until this is resolved they have told the client to keep wiping away the mould.

## ! Citizens ! ALERT

A West of Scotland CAB reports of a client and her family who have damp and mould in their house, as well as windows needing repaired. An inspector came out to look at the property and had an extractor fan installed to help with the damp and mould, but this has since broken down. The inspector also advised that while he agreed the windows needed to be fixed, there were no funds to do this.

This theme also takes in leaking and flooding, two other major causes of damage to belongings and often requiring intensive repair work. This is closely linked to the structural and external theme and often occurred where clients were living in flatted properties. One of the other impacts of leaking and flooding was the damage to light fixtures, which the tenant could not safely replace themselves.

## ! Citizens ! ALERT

A West of Scotland CAB reports of a client whose flat was flooded shortly before Christmas by their upstairs neighbour's pipes. The client's property suffered severe damage to furniture, carpets and Christmas presents. The council has helped with some repairs to the ceiling which collapsed but it is unclear as to what other steps will be taken and by when. The council is also refusing the client's request for a compensation claim form.

Lastly, we found cases fitting this theme which described a myriad of other repairing issues linked to water, including ingress from doors and windows, an old out of use water tank which burst, and plumbing work.

## ! Citizens ! ALERT

An East of Scotland CAB reports of a client who moved into a flat two months ago. The client reported a problem with the shower to the letting agency which they agreed to have fixed. The plumber then said he could not fix it, and the client has been left without use of the shower. The client is worried she will be asked to leave if she pursues the letting agency to repair the shower.

## 2. Fixtures and fittings

Again, this is a wide-ranging theme and takes in problems with fixed features of a property (e.g. windows and doors) and fittings (e.g. furniture and white goods).

## ! Citizens ! ALERT

An East of Scotland CAB reports of a client who has been rendered virtually housebound as the electronic door to her building has been repeatedly broken, not allowing her to leave her home when she wishes. The council has sent out a contractor to fix it but the problem continues due to people kicking the door to gain access. This has been ongoing for nearly two years.

## Findings

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The cases included problems with appliances and bad quality furniture and decoration, which affect both clients' basic need to prepare food, as well as feel comfortable and at home in their property. This particularly seemed to be the case if the client was living in temporary accommodation.

### **! Citizens • ALERT**

A North of Scotland reports of a client who had recently left a rented property and subsequently received a letter from their previous landlord alleging damage to the property and demanding payment. The client stated that the problems were there at the beginning of the tenancy, including a cooker with two broken rings, a worn and dirty sofa requiring fumigation, and missing smoke and heat alarms. A proper inventory check at the start of the property would have protected both tenant and landlord but this does not appear to have been done.

### **! Citizens • ALERT**

A West of Scotland CAB reports of a client living in temporary accommodation. The client wants to challenge the state of his temporary accommodation, which he describes as "not fit for human habitation." He says that there are no cooking facilities, and he rarely stays there due to the conditions. He states that people have gone into his room when he was not there, and he had once returned to find someone in his room. He felt his room and his belongings were not safe and secure.

### **! Citizens • ALERT**

An East of Scotland CAB reports of a client living with his daughter in a two bed flat. The client is on a low income and cannot afford the two bedrooms, or to sort out the general disrepair of the flat. He feels like he wants to abandon the flat due to these issues. He was advised he might be eligible for a community care grant to help him buy and lay carpets, however the floorboards underneath are in bad condition and need treated first, which he cannot afford to do.

Surprisingly, we found a small number of cases in the social rented sector where the electric meter was old or faulty, and because it was technically the property of their landlord, needed their landlord to repair it. This particular fault can lead to high energy bills for clients.

### **! Citizens • ALERT**

A West of Scotland CAB report of a client who has a non-domestic type of meter in her home and requires this to be changed to a domestic meter. This is the responsibility of her housing association to do but she has not had any updates as to the progress of the work and is suffering financially due to paying more for electricity.

This theme also takes into account adaptations requested by tenants (or by social work or other health professionals) to allow them to live safely and independently at home.

### **! Citizens • ALERT**

A West of Scotland CAB reports of a client whose father was recently discharged from hospital. The father's property is not adapted to his needs, and he has been recommended for two adaptations. The council has only agreed to one adaptation, but not an adaptation to the door, meaning the client's father cannot access or exit his home independently.

# Findings

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## 3. Structural and external

While having some overlap with the “water, damp and mould” theme due to walls or ceilings often being affected by leaks, damp and mould, this theme included communal repairs issues (most commonly in regard to roofs), holes in walls and ceilings due to a variety of causes, as well as guttering problems.

### ! Citizens ALERT

An East of Scotland CAB reports of a client who has been left with a hole in his ceiling for four years, originally caused by a leak. The council have carried out work off and on, including putting up scaffolding but the leak has started again, and the client thinks this is due to poor quality of work. The client is unable to lay carpets, the stress is affecting his health, and he wants to leave the tenancy.

### ! Citizens ALERT

An East of Scotland CAB reports of a client living with her son in a private rented flat. She reports that water has been coming into the flat anytime it rained for the last three months, meaning they cannot use their bedrooms and are sleeping on the sofa. Her son is not sleeping well, has a perpetual cough and is missing school. Other tenants in the block have been having the same problems and it has been identified that the roof is in need of repair. The tenants in the block are facing delays in getting this resolved as there are multiple owners in the building, and the first roofing company pulled out. The client is withholding rent until this is resolved but her landlord has issued an eviction notice in response.

This theme also took in cases where there were problems with external features such as fences and trees.

### ! Citizens ALERT

An East of Scotland CAB reports of a client who is shortly to move out of her privately rented property as the landlord is selling. There are a number of tall fir trees at the front of the property, and taller trees at the back. When the tenant moved in, they were asked to maintain the trees at the front but no mention of those at the back, aside from the tenancy agreement generally making reference to reasonably maintaining the gardens. The landlord has asked the client to trim the back trees when she moves out, but the client cannot afford the cost of over £1400 she was quoted. The client is on a low income and is afraid the landlord will deduct this from her deposit.

### ! Citizens ALERT

An East of Scotland CAB reports of a client who is an elderly owner occupier. Her neighbour's trees have grown to such a height and overhang her garden to the extent that her gardener refuses to tackle them and an expert tree feller is now required, which will cost money. The neighbour won't speak with the client and the client feels the neighbour should deal with the problem and pay for the work. If this fails, the client can apply for a high hedges order at a cost of £400 but she does not feel that it is fair for her to have to pay for redress.

# Findings

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## 4. Energy efficiency and heating

Again, this theme appears to be common across many of the cases we looked at. At the extreme end, we saw many cases where clients had been left with no heating, sometimes in the middle of winter, which can be dangerous, especially for people with health conditions.

### ! Citizens • ALERT

A North of Scotland CAB reports of a very vulnerable client who was without heating or hot water for a week in the middle of winter. He was told an engineer would be out the same day he reported the problem but was then re-contacted to say it wouldn't be happening. He wants to make himself homeless as he feels he was better looked after in temporary accommodation.

### ! Citizens • ALERT

A South of Scotland CAB reports of a client who phoned to get information about grants and assistance that might be available to her elderly neighbour. Her neighbour's boiler had broken down, and she was using an emersion heater and small electric fires for warmth.

Broken down heating and hot water systems also appeared to lead to high unexpected costs for clients while they waited for the system to be repaired. At a time of high energy costs, this was hard to manage for several of the client cases we looked at.

### ! Citizens • ALERT

A North of Scotland CAB reports of a client who is waiting for faulty storage heaters to be replaced. In the meantime she has been provided with blow heaters, which are costing £90 a week to run. The client is on a very low income and requires food parcels to feed her family while they wait for the heating system to be sorted.

### ! Citizens • ALERT

A West of Scotland CAB reports of a client who was left for 16 days during winter without heating or hot water after her boiler broke down. The client had a single electric heater in her living room to keep warm. The landlord says they offered additional heaters but the client says this isn't true. The client has asked the landlord for compensation which has been refused.

The cases we looked at included reports of clients living in very energy inefficient homes, leading to them having to spend a lot of money to stay warm. We are increasingly seeing problems with energy efficiency measures being installed incorrectly and causing further problems for clients.

### ! Citizens • ALERT

A West of Scotland CAB reports of a client who is living in a poorly insulated private let. He is putting an excessive amount of credit on his electricity meter to stay warm and has multiple health issues. He needs a foodbank referral to meet his basic needs. The CAB also provided him with an energy voucher to help towards his bills.

## Findings

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### ! Citizens • ALERT

An East of Scotland CAB reports of a client living with his family in a property bought from the council. Two years previously he had signed up to a council scheme to improve insulation in all the properties in his street. After a short period of the house being warmer and quieter after the old insulation was removed and the new insulation was installed, the client discovered damp and mould appearing on his walls. The contractor removed the new insulation, and drilled holes in the walls to do so. These holes have not yet been filled in and the client has been left with a cold, damp and mouldy property, causing significant stress and a danger to health. Due to having to run the boiler almost continuously over winter, the boiler has now broken down and the family do not have heating or hot water. Neither the council nor the sub-contractor appear to be accepting responsibility to put things right.

A number of the cases we looked at highlighted issues with low carbon heating systems. It appears that many tenants aren't aware of how to use new systems and do not get the benefit from them.

### ! Citizens • ALERT

A North of Scotland CAB reports of a client who has had a new panel heating system installed in their home. It appears it has been set at a low level and the client has not been shown how to use it. The new system is costing a lot to run and the client has unknowingly amassed large arrears. The client is now keen to keep the heat and hot water off despite being elderly and having multiple health conditions.

## 5. Damage

A cross-cutting and particularly interesting theme was that concerning damage. This took in damage to a property before a tenant moved in, damage caused by a tenant, damage caused by other people, as well as damage done by building or repair work. We have also seen lots of other types of repairs issues causing damage to the tenant's own personal belongings. These issues often interfered with the tenant's ability to live comfortably in their home.

### ! Citizens • ALERT

A West of Scotland CAB reports of a client living in council rented accommodation with her young daughter. The council was carrying out external work to the building when they burst through the wall, leaving a gaping hole. The client has been chasing the council for three weeks to get the hole filled in and re-plastered.

Cases which came under this theme often included knock-on impacts, including losing a much-needed offer of re-housing for one family.

### ! Citizens • ALERT

A West of Scotland CAB reports of a client living with his family. The family applied for a new home with their local council due to medical need for more bedrooms. There was some damage to their old property, including to doors, cupboard doors and the shower, which the family accepted responsibility for and agreed to pay for when they moved out and when the repairs had been completed. However, the family's offer of new housing was rescinded as they failed the housing inspection for their old property.



## Findings

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Lastly, the issue of damage also raised questions about liability for damage.

### **! Citizens • ALERT**

An East of Scotland CAB reports of a client who is being pursued for payment for damage caused to a privately rented flat he had moved out of two years previously. The client was a joint tenant but gave notice in summer 2020, and the landlord agreed to him being replaced by another individual, however the client's name was not removed from the lease. In summer 2022, the remaining joint tenants left the property and the landlord inspected it. The landlord found a damaged kitchen cupboard door and smoke damage caused by the other tenants' smoking. The landlord has stated that they spent around £6000 replacing furniture and carpets. The landlord has been unable to contact the most recent tenants for payment and so is now pursuing the client.

## 6. Other

Under this theme, we saw a variety of repairs and maintenance issues which did not fall naturally into any of the other themes. These include vermin infestations and asbestos. These issues were often coupled with several other repairing issues.

### **! Citizens • ALERT**

An East of Scotland CAB reports of a client with multiple health issues who has moved back into her property following a flood. Since the client moved back in, there has been mould growing on the walls which the client has been trying to remove with little success. The client is waiting for appliance repairs as when she uses two appliances at the same time, it trips a fuse in the property. The client was wrongly told by her council that she could not access the Scottish Welfare Fund as she had already accessed it once. The client has also discovered a mice infestation in her property.

### **! Citizens • ALERT**

A North of Scotland CAB reports of a client who has reported that the housing development site she lives on is "overrun" with rats to the extent that she cannot let her children out to play.

### **! Citizens • ALERT**

An East of Scotland CAB reports of client living in uninhabitable conditions. The property has mould caused by a leaking roof, as well as asbestos and vermin. The client has reported this to the council and made several complaints, but no action has been taken. The condition of the property is so bad, the client's children cannot stay with him.

# Findings

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## Impact and barriers to resolution

Unsurprisingly, many of the repairs issues we found, and especially longstanding repairs issues, caused considerable impact to the household living in the property, and sometimes to the landlord as well. A notable number of the cases we looked at mentioned the specific impacts caused by the repairs problems, which included:

- > Health impacts, most commonly stress and worry, but also respiratory issues or the exacerbation of these.
- > High heating bills and cold homes, which are particularly unsafe for those with health conditions or where there were elderly people or very young children living in the home.
- > Other unexpected financial impacts, such as paying high amounts for roof repairs or other communal repairs, which tended to affected owner occupiers more than renters.
- > Inability to use certain rooms or aspects of the property, mostly due to the presence of mould or water ingress, but also broken appliances.
- > Inability of families to live together safely in the home, especially in cases of shared custody of children.

### Citizens ALERT

An East of Scotland CAB reports of a client who has been trying to resolve a severe damp, mould and water ingress issue in her flat for the last nine months. The client has autoimmune issues and her mental health has been badly affected. The client has had several visits and inspections from the council and been told that plans are in place to do repairs but she feels these are empty promises. The client left the property due to the stress of living there but was told by the council she would be "considered guilty of abandonment", would lose her place on the housing list and her partner, who is still in the flat, would have to leave as well and may become homeless. She feels forced to move back in and fears for her health and the health of her children.

### Citizens ALERT

An East of Scotland CAB reports of a client who is an owner occupier in a mixed tenure block of flats. Communal repairs were required and the client has been billed for £6000 for her share. She agrees the repairs were necessary but is unable to afford this or the instalment plan offered by the council, who organised the repairs. She plans to offer a lower repayment arrangement but still worries that this will be a struggle and fears that the stress and worry from the situation is affecting her mental health.

Many of the cases highlighted particular barriers that clients faced when trying to resolve repairs issues. These included:

- > Council repairs phonelines being constantly busy.
- > Digital access issues and a frequent requirement to use online repairs portals to report problems.
- > Funding problems, especially for improvements to heating systems.
- > Confusion or dispute over who had responsibility to fix the issue, which appeared particularly present where the client was privately renting or living in a mixed-tenure block.

# Findings

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## Factoring

Following directly on from the point about whose responsibility it is to fix issues, we discovered quite a number of cases where factors were involved. Factors “manage and maintain the common parts of land or property owned by more than one homeowner, for example the stairways, hallways and lifts in a tenement flat.”<sup>6</sup> We found that issues with property factors included:

- > Money owed to either the factor or the owner occupier.
- > Increases in factor charges which were considered excessive or unusual, through a variety of means.
- > Obtaining information, especially about charges and changes to service, as well as rights and responsibilities in a format that clients could easily access and understand.

### Citizens ALERT

A West of Scotland CAB reports of a client who wants to challenge additional factoring fees. Her factor wants to charge residents for use of external electricity in the communal parts of the building, which is not part of the contract, and the residents would not benefit from this. The client highlighted her other frustrations with the factor, including that she feels she pays enough for other things she doesn't see the benefit of, including rat traps and the maintenance of access doors which are perpetually broken.

## Analysis of landlord/housing provider responses

To get a sense of how landlords responded when faced with repairs issues, we carried out a thematic analysis of the responses and action taken by landlords, where this information was known.

Many landlords and factors deal with repairs well and on time, but given the nature of our service, we expect that clients would come to us with when something has gone wrong. In terms of owner occupiers, we found that they will generally have had to deal with the repair themselves. There were a small number of cases where the repair was carried out by or contracted by a housing association or a factor, and the owner occupier clients were not satisfied with the process and how they were treated.

We opted to analyse social and private rented cases separately due to a wide variation in responses between the tenures. However, across both tenures, a notable proportion of cases did not indicate a response from their landlord in the write-up, and as such were grouped under the theme of “unknown”.

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<sup>6</sup> <https://www.citizensadvice.org.uk/scotland/housing/repairs-and-improvements-s/property-factors-providing-services-to-homeowners-s/>

# Findings

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## Social housing analysis

Aside from cases where the action or response of the landlord was unknown, we identified the following six themes among social housing cases:

1. Action taken/compensation offered after CAB intervention
2. No action/refusal to act
3. Limited action/problem continuing/unable to fix/delays
  - > Dispute/ongoing discussion between contractors
4. Tenant's fault/responsibility/charged for repair
5. Funding problems
6. Other
  - > Phoneline to report repairs constantly busy
  - > Client requires re-housing
  - > Housing provider asking for more evidence

## Private housing analysis

Again, setting aside cases where the action or response of the landlord was unknown, we identified the following six themes among private housing cases:

1. Eviction/illegal eviction
2. Legal proceedings/seeking damages or payment
3. Limited/no action
4. Tenant's fault/responsibility
5. Change to terms of tenancy
6. Other
  - > Client is the landlord and wants to return to owned home after flooding to rental home
  - > Refusal to pay compensation

Of particular concern to the Citizens Advice network is the threat of eviction or illegal eviction that was experienced by several private sector clients when they reported their repair. This reflects the findings of another research report by CAS into illegal eviction<sup>8</sup>, which showed that some tenants are at risk of being asked to leave if they reported a repairs issue.

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<sup>8</sup> Citizens Advice Scotland (2023) [Illegal Eviction: Experiences of CAB clients in Scotland](#)

# Conclusion and Recommendations

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Repairs is a large area of advice for the Citizens Advice network in Scotland and this report begins to uncover the nature and scale of the repairs issues that we are approached about. Advice code data has given us a sense of size of the problem across the network and social policy feedback has filled in the detail of how people experience a wide variety of repairs issues. Our cross-advice analysis showed us that many repairs clients also need advice on another housing or non-housing issue, and over the past year, this additional advice was increasingly likely to be about utilities, reflecting the impact of the Cost of Living crisis. This change may also be linked to the prevalence of clients who come to us about repairs advice about heating systems, which can result in them being unable to afford to heat their homes.

One of the most pervasive and difficult to tackle themes which has emerged from this report is that of damp and mould. We are more conscious than ever of the dangerous health impacts of damp and mould, in part due to news coverage of the tragic and avoidable deaths of individuals across the UK in recent years and know from our evidence that many of our clients are struggling in the same way. We are anecdotally aware of good practice in dealing with damp and mould emerging in some areas but are deeply concerned that progress is not being made fast enough.

Amongst the findings of this report, it's clear that it's often difficult for repairs to be completed and done correctly, for a range of reasons. It's regularly not clear to clients what their rights and responsibilities are around repairs and they are often unaware what the routes to redress are. However, we know that some people risk losing their homes if they report a repair, and this was most prevalent in the private rented sector. As a result of this, repairs can remain unresolved and cause further problems for subsequent tenants. This is another particularly challenging problem to tackle but is critical, particularly as we know that homelessness can occur as a result.

The issue of redress leads us on to recommendations for further research. This includes more in-depth research about the outcomes for repairs clients, which is something that we could not robustly glean from our data, as many clients receive advice and do not come back later to inform us of what happened; as well as experiences of those who used the First-tier Tribunal for repairs issues. Finally, given the somewhat rare but nonetheless concerning factoring cases we came across in this research, we would recommend that further research is undertaken on property factors, to better understand they operate, how well they are regulated, what the processes are when things go wrong as well as residents' experiences of them.

## Conclusion and Recommendations

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Everyone should be able to live safely and comfortably in a home that is of a good standard, and we support the Scottish Government's intention that this should be true for everyone, regardless of the tenure they live in. This piece of research underlines the urgent need to build a strong framework of clear information, awareness of rights, enforcement, and redress for repairs issues. We therefore make the following recommendations:

1. Scottish Government to develop clearer information and pathways to resolution for both private and social tenants, including clearer timescales.
2. COSLA to facilitate the urgent sharing of good practice for treating damp and mould across local authorities.
3. Scottish Government to look at ways of expanding funding for local authorities to carry out repairs.
4. Scottish Government and local authorities to develop harsher penalties for landlords who attempt to evict tenants for reporting a repair.
5. Scottish Government and lenders to develop insurance options for private landlords to enable them deal with repairs issues if cash flow is a barrier.
6. Scottish Government to review and evaluate the impact of the letting agent code of practice.
7. Scottish Government to review and evaluate the code of conduct for factors, particularly around tenant and owner participation in factor processes.





# Appendix 1 – Detailed methodology

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For this research, we looked at quarterly national advice code data on repairs from 2021/22 and 2022/23, social policy feedback cases (SPF) from 2022/23, and cross-advice data about what other advice repairs clients required when they approached a bureau for advice.

As outlined in the introduction, we analysed advice code data from 2021/22 and 2022/23. Repairs/maintenance is a Level 3 advice code under the following Level 2 advice codes:

- > Local authority housing
- > Owner occupier property
- > Private sector rented property
- > Purpose built student accommodation/halls of residence
- > Registered social landlord property

We also drew out and analysed relevant SPF cases which reported one or more repairs issues. We did not look at SPF from 2021/22 due to the sheer volume of SPF which reported a repairs issue. Further, the CASTLE system where advisers log SPF does not allow us to categorise a case as a repairs issue. Rather, repairs issues are categorised in the system as either “[tenure e.g. private rented sector] – housing conditions” or “[tenure] – admin and procedures”. The latter is frequently used if the landlord’s processes and procedures present barriers to the repairs issue being resolved. The only SPF categories for owner occupier cases are “owner occupier” and “owner occupier – mortgage arrears”. Therefore, we also carried out a search of all owner occupier cases for the same period and analysed those which referred to a repairs issue.

As such, we carried out a search of SPF cases from our CASTLE system dating between 1 April 2022 and 31 March 2023 which were categorised as

- > “Social housing – conditions”,
- > “Social housing – admin & procedures”,
- > “Private tenancy – conditions”
- > “Private tenancy – admin & procedures”
- > “Owner occupier”

We exported these results into excel files and removed duplicates. We then carried out a sift of the cases and removed cases where there was not a clear repairing issue in the case (for example, many “admin & procedure” SPFs were about evictions, and not repairs so these were removed). We did not find any cases pertaining to students living in purpose built student accommodation but did find cases of students living in the mainstream private rented sector who had repairs issues.

We carried out thematic analysis of the SPF cases, meaning we initially attached labels to each of the 127 cases (81 socially rented, 32 privately rented and 14 owner-occupiers) which made it through the sifting and data cleansing process, giving a brief description of the main elements of the case. These labels were then grouped into themes. As with any thematic analysis, the number of cases under each theme is not statistically significant, but the detail of the cases is extremely valuable for understanding the impact on real people’s lives.

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