

# THE DISREPAIR CHALLENGE

## ROUND TABLE DISCUSSIONS

Published by Communities & Housing  
Investment Consortium

June 2022



# The Issue

Communities and Housing Investment Consortium Ltd (CHIC) is a consortium of social landlords that procures frameworks and operates a dynamic purchasing system for asset management, professional and development services. But CHIC also promotes and supports collaborative partnerships between its members and the wide range of supply chain partners who they access via CHIC.

In May 2021, CHIC hosted its first 'round table' thought leadership discussion. We were keen to bring together representatives of our members with a range of contractors, consultants, manufacturers and other suppliers which make up our supply chain partnership.

CHIC had been hearing more 'noise' from members about disrepair. Not only had national television news coverage shone a light on examples of disrepair horrors faced by some tenants, but the issues had been examined by the Housing Ombudsman and social landlords were reporting an increase in claims. So, CHIC thought it should examine the views of its various stakeholders through round table discussions.

The event was attended by a great cross section of organisations and we were able to host four separate 'round tables', each mixing social landlords (housing associations and local authorities), contractors, consultants, lawyers and manufacturers/specialist suppliers. Discussions were constructive and reflected real 'on the ground' knowledge and experience.

Our groups considered two key questions:

Q1: Is disrepair more of a nightmare for the tenant or the landlord?

Q2: How do third parties hinder or help the landlord to avoid disrepair?



more info at [enquiries@chicld.co.uk](mailto:enquiries@chicld.co.uk)

# Q1 Is disrepair more of a nightmare for the tenant or the landlord?

This question initiated some very thought provoking discussions, with plenty of examples of disrepair cases and 'on the ground' experience showing the extent of disrepair. What was concerning to CHIC's Chair, Maggie Punyer, who has been a Housing Association Board Member for many years, was the extent of disrepair issues and claims are not being reported and monitored at Board level.

There was a strong consistency between the four group discussions which, in answering this question agreed:

- Disrepair is a nightmare for both the landlord and the tenant, but tenants suffer most as they and their families have to live with and through any disrepair failures in their homes.
- The sector certainly needs to improve its approach to overall investment and quality control. More regular surveys or property inspections (MOTs) would help to identify and address property repair and investment issues.
- Access to and management of some repair processes needs to be tightened. If the systems work as they should for tenants, with a rapid response and resolution of a problem, ambulance chasing lawyers should have no ambulance to chase!
- Landlords need to become smarter with their data, both with trend reporting but also in collecting data from some of the useful monitoring devices and technology now available.

- Surprisingly, disrepair can be a real issue with new homes - where repair responsibilities can be confusingly spread between the developer and landlords maintenance contractor.

Generally, the view was that the scale and nature of disrepair cases has not changed significantly - there will always be issues that a good maintenance service will need to respond to. What has changed is the rise in legal firms now targeting the sector for 'easy fees'. Far from helping tenants resolve a disrepair nightmare, this is diverting operational and financial resources away from the front line to having to manage an unwanted procedure.

Our discussion groups were all clear - and unanimous - tenants with genuine disrepair claims need a swift and effective response from their landlord, whose own procedures should reflect this need. But there was also a huge frustration that the sector - and in many cases the most vulnerable tenants - are being exploited!

***60-70% of our repair claims come from new build properties.***

Darren Matthews, Celtic Horizons





## Q2 How do third parties hinder or help the landlord to avoid disrepair?

Once again, our stakeholders addressed this question with a real passion, focusing on the need for landlords to avoid disrepair – prevention to achieve this was definitely agreed to be far preferable to cure. Our groups concluded:

- The strength of the relationship with the contractor which delivers the maintenance service, whether in-house or external is critical. An adverse or overly combative contractual relationship can exacerbate disrepair challenges – both by delaying repairs and then resolving them. The key themes that emerged from our discussions focused on the need for landlords to work in **partnership** with a contractor they can **trust**.
- Resolving a problem quickly and efficiently is worth some reward or incentivisation to the contractor, if it gives the tenant the right service and avoids the pain and costs of a disrepair claim.
- The discussion also identified the importance of ‘technology providers’ as other third parties who can help. Smart technology can support landlords and tenants to understand how to heat and ventilate properties more effectively, to reduce and eliminate the likelihood and impact of damp and mould. Where landlords invest in effective technology, there was agreement that this would deliver a real return on that investment, informing better asset management.
- The groups also concluded that – unwelcome as it was – disrepair is an issue that exists, so must be addressed swiftly, to the benefit of both the resident and the landlord. All were agreed that this is best managed with the landlord having a ‘single point of responsibility’, whose duty it is to investigate and resolve disrepair complaints and claims as soon as possible.
- Having considered the third party ‘helpers’ the groups then reflected upon what hinders landlords in resolving disrepair. Discussions returned to legal firms now targeting the sector, with a real worry that some are preying on the most vulnerable tenants, for instance targeting them in courts at the time of hearings for arrears claims. A genuine disrepair claim is legitimate and should be resolved efficiently and a good landlord will do this anyway. Lawyers exploiting social housing tenants and landlords for their own selfish gains left our stakeholders unanimously frustrated.

*Better relationships with the landlord and third parties will breed better outcomes.*

Richard Baker, Bailey Garner



## Our concluding discussions identified some practical steps that can be taken to help avoid ‘the disrepair challenge’.

- If social landlords invest properly in their homes (planned maintenance) and offer a robust responsive repair service, opportunities for real disrepair problems by tenants can be minimised or avoided.

- And where cases do occur, landlords need to be responsive and act swiftly to address any underlying cause and complete the repair.

The Housing Ombudsman’s report concluded that the sector ‘requires changes in culture, behaviour and approach....; from being reactive to proactive, from inferring blame to taking responsibility’. Our discussion groups agreed.

- We were also keen to see the Ministry of Justice progress the fixing of legal fees for lawyers bringing disrepair claims against landlords. In just the short time of our discussions, we heard too many examples of exploitative legal firms targeting vulnerable tenants – the tenants usually got the repair they were due (and would have got anyway) but eye watering sums of money were prized from the sector to settle uncapped legal costs. The result? less money to invest in tenants homes.

CHIC would like to thank all of the discussion participants for their very lively and insightful contributions. We are also very grateful to AICO for sponsoring the event.

**John Fisher, Chief Executive**



### Maggie Punyer “

As the chair of CHIC's Board, I feel it is important to bring together representatives from social housing landlords so we can better understand the issues they face first hand which will enable us to influence the strategic direction of the services we can offer. Also I'm keen to ensure CHIC does not lose the tenants voice in our strategic thinking and development.

# Discussion Group Stakeholders

1

Sara Woodall, Connexus Group  
 Lee Kingston, Ideal Heating  
 Sarah Schooling, Tozers  
 Kal Purewal, Sandwell MBC  
 Nick Taylor, Two Rivers Housing  
 Richard Baker, Bailey Garner  
 Niyi Anubi, Equans  
 Luke Hurd, CHIC  
 Hafzah Pervez, CHIC

2

Alex Parker, AICO  
 Sean Ritchie, Novus  
 Luke Beard, Two Rivers Housing  
 Barry Hillson, Frankham  
 Ivan Marshall, Tozers  
 Ian Tipper, Connexus  
 Allen Stevenson, Two Rivers Housing  
 Jeremy Davis, Connexus  
 Stephen Sharman, CHIC  
 Nik Adi, CHIC

3

Maggie Punyer, Connexus Board  
 Darren Matthews, Celtic Horizons  
 Steve Francis, Curo  
 Mick Hayes, Platform Housing Group  
 Andrew Cooper, Global HSE Group  
 Tom Robins, Switchee  
 Sophie Taylor, Bristan  
 Victoria Speakman, CHIC  
 Curtis Coulson, CHIC

4

Simon Brown, Novus  
 David Sewell, Envirovent  
 Mike Payton, Snape Contracting  
 Joanne Stringer, Sanctuary Housing  
 Kevin Potter, Platform Housing  
 Ivan Marshall, Tozers  
 Mark Winstanley, Wolverhampton Borough Council  
 Joanne Heyes, CHIC  
 Alison Price, CHIC



If you would like to attend a future round table discussion hosted by CHIC, please get in touch at [enquiries@chicltd.co.uk](mailto:enquiries@chicltd.co.uk)