



COMPLAINTS PROCEDURE

Membership

The three main partners of SASSH felt that to introduce clarity and, to bring the scheme in line with similar schemes across the UK, it was important to introduce a complaints procedure. Our aims are to ensure that Landlords are following the SASSH Code of Management and Practise. Southampton City Council Environmental Health Officers will sample properties as part of the inspection programme annually. The procedure will be used only in cases of serious breaches. SASSH partners can make enquires relating to the following:

Any Landlord or agent applying to SASSH must be a Fit and Proper Person, as defined in the Housing Act 2004 s(66):

Section 66 sets out the evidence that must be considered in determining whether someone is a fit and proper person to be a licence holder or a manager. These include whether that person (or a relevant associate e.g. a spouse or business partner) has committed offences involving fraud, dishonesty, violence, drugs or sexual offences as listed in schedule 3 of the Sexual offences Act 2003. Spent convictions are not, in this context, taken into account and evidence of unlawful discrimination in business, contravention of housing law.

SASSH will also take the following matters into account:

- Any contraventions of Housing and/or Landlord and Tenant Legislation
- Failure to comply with Management Regulations in respect of HMOs
- Failure to comply with SASSH standards in previous years
- Housing related matters

Any Landlord applying to the scheme for the first time may also be declined on any of the above.

Complaints

Many complaints involve minor issues, sometimes arising from unrealistic expectations of the tenant or landlord, and most can be resolved through discussion and negotiation. In the instance of such complaints Universities will work with the tenant to clarify the situation, offer advice on how the problem should be approached and how to stop the problem escalating. Where it is felt necessary the Universities may write letters, make telephone calls or take advice on the students behalf to facilitate contact and resolution. If this does not resolve the issue then the Universities may recommend that the students seek independent Legal advice.

If a student wishes to make a complaint about their Landlord it must be done in writing, please find complaints form appendix 1 on www.sassh.co.uk. This document must be sent to the relevant University that they are studying at with a copy of their Tenancy Agreement. They will receive acknowledgement of their complaint within 14 days of SASSH receiving the complaint, the student will be advised if the complaint falls under the SASSH Code of Conduct. This procedure is to offer supports to tenants if they are experiencing particular problems with their Landlord or agent. The two Universities are always happy to offer guidance to Landlords if they have problems about the students living in their properties.

If a student can provide written evidence e.g. letter from a solicitor or Court papers that a Landlord is being pursued at a Civil or Criminal Court, SASSH have the right to suspend the Landlord pending the trial.

Where a serious complaint is raised against a landlord or property, the SASSH partners may wish to convene a Review Panel to assess whether SASSH registration should be suspended or withdrawn from the Landlord or property in respect of persistent and/or serious breaches of the Code of Management and Practise.

Such cases might involve complaints of:

- **Violence/intimidation/Harassment**
- **Landlords continually letting themselves into the let property**
- **Poor property standards**
- **Discrimination**
- **Illegal eviction**
- **Failure to license a HMO property with the Local Authority**

Complaints will be looked at on a case by case process. If a complaint does not sit in the main frame this does not mean that the SASSH members will not hear the case at panel.

The Review panel will be convened to investigate complaints which cannot be resolved informally and amicably. It will usually consist of:

- **1 representative from Southampton City Council**
- **1 member from Southampton Solent University or 1 member from the University of Southampton**
- **1 independent Landlord**

The panel hearing will be formal, with Landlords and tenants being invited to put their cases forward. All parties concerned will have the opportunity to ask questions to those appearing. However as the Universities have no enforcement powers, Legal representation is not encouraged at the Reviews. If Landlords or students wish to bring an advocate for support, this will be welcomed. The Panel has the power to rescind membership for the following academic year or indefinitely depending on seriousness of case.



A Landlord may appeal against the decision in writing to either the University of Southampton or Southampton Solent University. The SASSH members will acknowledge this letter within 10 working days. The SASSH members will then arrange a second Panel. This will consist of a member from:

- **Student Union**
- **Senior Housing Advisor from Southampton City Council**
- **An independent Landlord**

The final panel will review the case and decide whether the decision to suspend was fair and reasonable. They will determine what basis the decision was made on and try to look at the process that was used, ensuring that the members followed the procedure correctly. This is the last and final decision. The Landlord will then be written to by SASSH to advise of the out-come, which will take effect immediately.

Where a Landlord has previously been suspended, and it has been determined that he/she is allowed to be accredited again, a note to this effect will be placed on www.sassh.co.uk for students to view. This will be kept on the website for a period of six months, in all cases.

Property Inspections

If Southampton City Council advises Southampton Solent University or the University of Southampton that an inspection carried out on a particular property has identified a Hazard one from the Housing Health and Safety Rating System the property will not be advertised until the Local Authority can confirm that the standards have been achieved. If the Landlord fails to carry out the improvements necessary to meet these standards the property will be suspended from the SASSH list.

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Complaints procedure flow chart





STUDENTS COMPLAINT FORM

STUDENT(S) NAME(S):

PROPERTY ADDRESS:

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LANDLORDS NAME:

TENANCY START DATE:

TENANCY END DATE:

DESCRIPTION OF COMPLAINT

ACTIONS TAKEN TO RESOLVE THE COMPLAINT SO FAR

I/we give SASSH permission to discuss my case with the Landlord in question and various agencies. I also confirm that the information provided is the true reflection to the case.

Tenants name: Tenants signature:

Date:



Tenants name: Tenants signature:

Date:

Tenants name: Tenants signature:

Date:

Tenants name: Tenants signature:

Date:

Tenants name: Tenants signature:

Date:

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You will receive acknowledgement within 14 days of SASSH receiving the complaint, advising if the complaint falls into the remit of the SASSH complaint procedure.

Please provide a copy of the Tenancy Agreement and any relevant evidence etc. photos, inventories etc



Appendix Form Two

Academic 2010-2011



LANDLORDS PANEL FORM

LANDLORDS NAME:

LANDLORDS ADDRESS:

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TENANTS(S) NAME(S):

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PROPERTY LET:

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OUTCOME OF FIRST PANEL HEARING

PLEASE EXPLAIN WHY YOU WISH TO APPEAL THE DECISION

DO YOU FEEL THAT THE FIRST HEARING WAS REASONABLE AND FAIR?



WHAT POINTS WOULD YOU LIKE TO RAISE THAT YOU FEEL WOULD CHANGE THE OUTCOME OF YOUR CASE?

NAME:

SIGNATURE:

DATE:

You will receive acknowledgement within four weeks of SASSH receiving the appeals form appendix two, advising as to whether the decision will be heard in panel two. If this is the case you will be informed as to where and when this will be heard.

