

Disrepair - Top tips for defending claims and achieving settlements on the best possible terms

Disrepair claims are a drain on our client's resources, both in terms of time and money. Sharing good practice is key to trying to address these claims. It is also necessary to develop and adapt internal processes to ensure detailed records are maintained, and that repairs are actioned effectively and within reasonable time. To compliment this, staff awareness of the importance of their role in ensuring effective asset management is vital.

TOP TIPS

Claims

- Carry out thorough void inspections and prepare detailed sign up reports.
- Warn tenants about disrepair claims companies.
- Keep detailed records and take photos.
- Ensure your contractors understand the law.
- Act quickly when you receive a claim.
- Work collaboratively with the tenant to investigate reported repairs.
- Think outside the box.

Complaints

- Carry out a thorough investigation.
- Inspect where appropriate and take photos.
- If you make an offer, make sure it is recorded on the file:
 - Amount.
 - What it relates to.
 - For what time period.
- Obtain a signed acceptance form from the tenant.
- Review your complaints procedures.

Injunctions

- An injunction may negate a specific performance claim.
- Take a case-by-case approach.
- Detailed evidence will be required.
- Costs obtained on an injunction by the landlord could be offset against any costs a landlord may have to pay on a disrepair claim.

How can we help?

Our housing management team of specialist lawyers are working to ensure that we are right beside our clients every step of the way. Our experts operate nationally on all areas of housing management and we are on hand to advise on issues such as access, disrepair claims and anti-social behaviour.

CONTACT



PAUL LLOYD
PARTNER

0125 744 8141
paul.lloyd@capsticks.com



NATALIE HURST
PRINCIPAL ASSOCIATE

0125 744 8142
natalie.hurst@capsticks.com