

# Landlord and Tenant Responsibilities for Repairs

West Lothian Council has a legal responsibility to carry out certain repairs while others are the responsibility of the tenant.

The following allocation of responsibility for repairs between West Lothian Council and tenants represents the present policy of West Lothian Council.

It should be noted that council new build properties will have a number of items included as part of the standard specification. West Lothian Council will only be responsible for the repairs as detailed below following the defect liability period.

It should be noted that the tenant will be responsible for the cost of a repair if it can be shown that the repair is required as a result of negligence as indicated in Section 5.10 of the Tenancy Agreement. Nothing contained in this Agreement makes us responsible for repairing damage caused wilfully, accidentally or negligently by you, anyone living with you or an invited visitor to your house. If we decide to carry out the work, you must pay us for the cost of the repair. This passage does not apply to damage caused by:

- Fair wear and tear
- Vandals (provided you have reported the damage to Police Scotland and us as soon as the damage is discovered)

Item	Responsibility		Exception/Comment
	WLC	Tenant	
<b>Windows</b>			
Glass in windows (unless you can show the glass was broken by vandals or some similar case)		•	
Sills	•		
Window catches	•		
Window sash (not open or close)	•		
Window handles	•		
<b>Bathroom</b>			
Bath	•		
Wash basin	•		
Toilet seat		•	Unless subject to OT referral
Shower unit	•		Unless not provided by WLC
WC and cistern	•		
<b>Heating</b>			
Solid fuel system – chimney, fireplace, fire basket, baby bricks and tiles	•		
Chimney sweeping	•	•	WLC will carry out during annual service of solid fuel system. All other occasions the tenant will arrange
Gas/electric/oil fuel/warm air installations: servicing and repair fitted by or with permission of WLC	•		If not fitted with permission the council will not accept responsibility
Gas fires	•		
<b>Plumbing</b>			
Blocked sink, WH basin, bath or toilet	•	•	Will be rechargeable if found to be choked through tenant negligence.
Domestic cold water supply	•		
Downpipes (rain and soil)	•		
Drains	•		
Gutters	•		
Hot water supply (including HW cylinders)	•		
Plugs and chains		•	
Shower rails	•		
Shower curtains, curtain hooks where shower is over bath and wet floor		•	
Fittings for new washing machine or dish washer (appliances)		•	

Item	Responsibility		Exception/Comment
<b>Electrical</b>			
Electric fire (unless we have fitted)		•	Unless provided by WLC
Individual TV aerial		•	
Communal TV aerial or satellite dish – WLC will provide one point in the living-room and a system to view free view channels	•		
Immersion heater	•		
Light fittings (not including table lamps and so on)	•		Non – standard light fittings would be replaced with WLC standard fittings
Mechanical ventilators	•		
Plugs & fuses		•	
Light bulbs including bathroom, fluorescent, electric fire and external fittings		•	
External security light bulb	•		
Smoke, heat & carbon monoxide detectors	•		The tenant must periodically test the detector.
Sockets and switches	•		Non – standard sockets and switches would be replaced with WLC standard fittings
Wiring circuit {No Power}	•		Including fuse box
<b>Kitchen</b>			
Kitchen appliances		•	Unless provided by WLC
Cooker socket	•		
Supply & fit a new bayonet for a cooker		•	
Kitchen units, sink bowl and drainer (through fair wear and tear)	•		
Alterations to kitchen layout or worktops to accommodate new appliances		•	
Alterations to gas pipes or plumbing pipes to accommodate new appliances		•	
<b>Structure</b>			
Ceilings/Walls plaster repairs	•		
Damp proof course	•		
Floors	•		
Outside woodwork	•		
Roughcast and plastering	•		
Skirting boards		•	
Stairs	•		
Steps to entrances	•		
Walls	•		Refers to structural wall of building
<b>Doors</b>			
Door-bell (except door entry)		•	
Door chain	•		
Door nameplate		•	
Glass on inside door & screen	•	•	If the property type has internal doors or a vestibule door screen that has a glass panel fitted which has been damaged, this will be rechargeable
Internal doors including handles / latches, timber facings etc.)		•	
Keys (lost or broken)	•	•	WLC will replace the keys but the cost will be rechargeable.
Locking mechanism on external door	•		
Outside doors (including doors in flats)	•		

Item	Responsibility		Exception/Comment
<b>Others</b>			
Clothes poles or rotary driers		•	Where the repair is deemed a health and safety concern, WLC will arrange removal of the pole but not replace it
Boundary fence/walls	•		Unless not provided by WLC
Fence and walls between gardens – dividing		•	
Gates	•		Unless not provided by WLC
Driveways and hard standing areas		•	Where it forms part of pedestrian access to the house
Gardens/grass areas – localised ponding of water – WLC will inspect and provide guidance to tenants		•	WLC will provide guidance on the best way to address this. If the ponding affects a number of council properties this would be considered for review as part of the housing capital programme.
Front & rear access paths, drying areas, communal access	•		
Cupboards/shelving		•	
Inside decoration - including wall preparation for decoration minor cracks and holes (e.g. screw holes following removal or cracks less than 5mm wide) in plasterwork		•	
Wall and floor tiling	•		Unless not provided by WLC
Outside decoration	•		
Garden shed/out buildings		•	Unless provided by WLC
Timber garage		•	Unless provided by WLC
Pest infestation inside the house e.g. ants, carpet beetles and silver fish, and hives outwith the property		•	The tenant should contact Environmental Health
Infestation of fleas inside the house	•	•	Will be rechargeable if found to be due to tenant negligence See <a href="https://www.westlothian.gov.uk/article/3263/Fleas">https://www.westlothian.gov.uk/article/3263/Fleas</a>

