

Dear Mr Daffarn

Thank you for your email of 10<sup>th</sup> December regarding your request to take your complaint to Stage 2 of the complaints process. Your complaint has been passed to me to review. You allege in your appeal that you have been subjected to 'harassment and intimidation'. I have investigated your allegations and would comment as follows:

- I understand that staff from KCTMO and Rydon have been in contact with you to explain the scope of works and agree access to your home to complete them.
- We were aware that you were away until late in November and we rearranged the original proposed contractor date to accommodate this. The alternative date we offered was 24<sup>th</sup> November when you returned from your holiday, however, you subsequently contacted Rydon to say that this date was not suitable. We then hand delivered a letter to you on 29<sup>th</sup> November with the proposed date to commence the works on 2<sup>nd</sup> December 2015.
- Rydon visited you on Monday 1st December to check that you were ready for the works to commence the following day. You told Rydon that you were not aware of the appointment and were not prepared to let them in on 2<sup>nd</sup> December. You also said that you were not prepared to be "bullied into the works" and gave a number of conditions that you wanted to be met before you were prepared to give access. These conditions included:
  - that the pipework will be located under the floor
  - that you received an apology for "being called a liar" in relation to your complaint about the door to flat 136 being left open over a weekend in August 2015.

To impose such conditions is not acceptable and this has been explained to you on a number of occasions.

Rydon did not attend at 8am on 2<sup>nd</sup> December because you had informed them on the previous day that you were not prepared to give access. However, on receipt of an e-mail from you on the afternoon of 2<sup>nd</sup> December complaining that Rydon had not kept the appointment, Rydon called at your home that afternoon, but you were not there. I understand that Rydon left a card to confirm that they had called.

My view is that we have asked you to allow access to carry out reasonable works in the context of our landlord obligations and we require you to give access in accordance with the terms of your tenancy. Given the delay we have experienced in agreeing a date for the works, the unreasonable conditions that you have given, and the proximity to the end of the contract, we asked our solicitors to confirm that we propose to take legal action if the appointment is not kept. Of course, we will not resort to legal action if reasonable access is given.

I am pleased to hear that Rydon started work in your flat on 15<sup>th</sup> December and that, to date, work is proceeding satisfactorily.

With regard to the issue of the open door to flat 136, this has been responded to through the complaints procedure on 2<sup>nd</sup> September. We have never disputed that the door was left open and Rydon have apologised for this error. We do however contend that the door was in working order and was able to be closed by pulling it shut.

I consider that the handling of the matters that you are appealing against has been appropriate and I do not uphold this complaint.

If you remain dissatisfied with this response you have 20 working days in which to tell to KCTMO that you wish to proceed to Stage 3 of the complaints procedure by writing to:

KCTMO Complaints Manager  
Network Hub  
Unit A  
292 Kensal Road  
London  
W10 5BE  
Email: [complaints@kctmo.org.uk](mailto:complaints@kctmo.org.uk).

You will need to state the reasons why you are not satisfied. This information will then be reviewed by the Head of Service for the relevant Service Area who may refuse the request if he or she considers that a sufficient basis for undertaking a further investigation has not been provided. You will be informed of the outcome in writing.

If you do not contact us within the 20 day time period, your complaint will be closed and KCTMO will write to you informing you that this has taken place.

Yours Sincerely

Sacha Jevans  
Director of Operations