



# Testimony on Disability and Housing Associations

March 2022



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## SECTION ONE: INTRODUCTION AND CONTEXT

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### 1. Introduction

Housing associations continue to present themselves as caring organisations with a social purpose and conscience. Yet all too often, SHAC has been supplied evidence of the mistreatment of some of the most vulnerable tenants and residents. These tenants are vulnerable because they are disabled and often have the lowest levels of access to resources which would help them assert their rights.

The Equality Act 2010 requires that employers and service providers like social landlords make 'reasonable adjustments' that will allow disabled people to access the same opportunities and services as non-disabled people. It also requires employers and providers to consider disability in everything they do and to actively anticipate the need for reasonable adjustments in the workplace and service environment. This includes interactions in peoples' homes.

So, to ape the sector's current marketing sloganizing:

***“considering disability should  
be at the heart of everything  
social landlords do”***

But with many housing associations this is not the case.

In February 2022 we invited disabled members to provide brief case studies of their experiences as disabled people or carers of disabled people.

A selection of the testimonials are included in this report with all identifying features removed and names changed to protect them from victimisation. Only minor changes have been made to entries, for example to explain acronyms or correct typing errors.

We have extracted 16 testimonials. There were five each from Clarion and L&Q tenants, and one each from Ability, Inquilab, Hyde, Accent, One Housing Group, and MTVHA. This distribution across landlords triangulates with the disproportionate level of complaints we receive about Clarion and L&Q.

The testimonials highlight two underlying recurring problems:

1. Failure to make reasonable adjustments and adaptations to properties or procedures.
2. Failure to appreciate the additional disadvantage faced by disabled people when their properties are in a state of disrepair, and to prioritise these cases for swift repairs.

The impact on tenants and residents of their experiences, and the added burden of stress trying to engage with their landlord compounds the difficulties they face already in dealing with their disability day-to-day. They make harrowing reading and call out for action to address the sector's discrimination against disabled people.

## SECTION TWO: TESTIMONIALS

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### 2. In Their Own Words

#### a) Kay: L&Q

I have a disability and my son has special needs. My violent ex-partner has been harassing us since 2008. L&Q said they can't do anything unless my ex-partner actually does something. Our property is not big enough or suitable for us. My brother is my son's main carer but they live five miles away. L&Q have refused to rehouse us nearer to my brother despite the needs of my son and me for help and protection from my brother.

#### b) Cheryl: Hyde

I am a tenant with Hyde housing association. I live with my husband who has ill health I also have several health problems. I have many problems with my property that Hyde will not take responsibility to correct. My boiler has packed up four times now. At the moment I have no heating as the boiler isn't working. I also have other problems with the property

#### c) Graham: Clarion

I am 65 years old and have severe osteoarthritis, Sjogrens Syndrome, and numerous other conditions

We were offered a 2 bed general purpose bungalow in 2006. Before signing the tenancy we asked if adaptations would be made when required. We were assured the property would be adapted when the time comes. We therefore accepted and moved into the property.

In 2019 I was assessed by the occupational therapist as needing adaptations to the kitchen and bathroom because we currently have an over-bath shower that is getting increasingly more difficult and dangerous to use. I have had several nasty falls and slips whilst in the shower.

Our kitchens were due to be replaced in 2019 under scheduled works as they were over 20 years old. I was granted funding for these works but we were asked to contribute £5,000.

We refused to pay this extra. Firstly, the kitchens were due to be replaced anyway, and secondly, we felt that as we had paid around £90,000 rent over the years, with few repairs or improvements, therefore we shouldn't be expected to pay such a large amount. We were quite happy to pay for extras that were outside the remit, but that is all.

We are now in 2022. My kitchen has still not been replaced and Clarion are refusing to do it as we didn't have the works done.

Clarion tell tenants if they want adaptations done, they'll have to do it themselves. Then, if something goes wrong with said adaptations, Clarion blame the tenant. We are caught between the devil and the deep blue sea. If we have adaptations done, repairs are our own responsibility and if we don't do adaptations, Clarion won't do them either!

**d) Danni: L&Q**

My daughter has a disability which causes her pain and she regularly wakes in the night, disturbing her sister. I now sleep on the floor of her room while the youngest has the bed.

My flat has had periods with no working toilet for over a week. When we notified L&Q and explained that a member of the family had a disability, L&Q helpfully told us to “pee in a bucket“.

The flat regularly floods and we have repeated infestations of rats, mice, fleas and cockroaches. For three years, L&Q has repeatedly refuse to address the problems or rehouse us.

Apart from the furniture that’s been destroyed and which I’ve had to borrow money to replace, the bites from fleas have become infected causing health problems for me and my children. The hardship is confounded by L&Qs protracted refusal to do anything about it.

**e) Ray: Clarion**

I have lived in Clarion (formerly Circle Housing/Circle 33) properties for the past 30 years. I am 53 years old and I live alone in a one bedroom ground floor damp flat. It is a Victorian building converted in the 60’s apparently.

I was diagnosed with depression and anxiety in the early 90’s. I also have a condition called Myalgic Encephalomyelitis (ME) which was diagnosed in 2012. I am registered disabled because of these conditions.

During the lockdown in 2020 I was deemed Clinically Vulnerable by my GP. I was shielding from early March 2020.

From 2016 onward I had been battling with Clarion for a new boiler to be installed. My previous 13 year old boiler had completely broken down on a number of occasions leaving me without heat or hot water. One spell lasted over four weeks. Around 13 parts had been replaced in the boiler over a period of around three years but it continued breaking down.

Despite a huge amount of energy and effort on my part, asking for a new boiler, Clarion refused. In fact, three other tenants here all had new boilers in that time period, and I know for a fact none of them are disabled or identify as disabled.

So, you can imagine, when Clarion wrote to me in January 2020 notifying me that I was on their ‘programme’ to have a new boiler by March 2020, I was delighted. At that point, I was supposed to hear from them within a couple of weeks for their rep to come and size up the kitchen, but nothing happened. I chased it up and finally they came and did the assessment. I had to chase them up thereafter because nobody came back to me with a date for installation.

Then lockdown occurred and the boiler had sadly not been installed. I was very disappointed.

However, after the first lockdown rules were eased, Clarion’s contractor Wates made contact and proposed to install the new boiler in August 2020. I was extremely anxious about the risk to my health of having anyone inside my small flat and especially the tiny kitchen, so reluctantly refused.

However, they told me that if I did not take up the offer there was a chance I would be taken off that year’s programme and would have to wait until next year. I was reassured by the

Wates representative that all contractors followed strict health and safety guidance and that they would ensure the visiting engineer would be extra careful.

I agreed for the installation to go ahead, mostly because of my desperate need for a fully functional heating and hot water system. The new boiler was installed in August 2020.

In early December 2020, BSW, Clarion's Gas Heating Engineers, sent me a letter to ask to do an annual Gas Safety Check on the boiler. I rang them and told them they did not need to do this yet, and gave them the date of the boiler installation which was the 11th August 2020. They agreed to postpone the annual safety check, and said they would let Clarion know.

However, that is when the harassment began. In fact, pretty much every week from December to June 2021, I was bombarded with phone calls, emails and letters from Clarion and BSW, insisting I agree to let their engineer in to do the annual gas safety check. The correspondence included threatening to take me to court whereby I might face eviction for refusing to allow their engineers to come into the property.

I had the official Gas Certificate from Wates and the supporting letter with government's medical evidence sent from my GP, but still Clarion and BSW ignored this and literally harassed me on a weekly basis for six months.

This exacerbated my already high anxiety and depression. Not to mention the negative physical impact from using precious energy and effort answering their calls, letters, emails, all wasted on arguing with them about this needless safety check.

Of course, I had to put in a complaint, which took months (as usual) for Clarion to address. I had to chase this up (like everything else). Their final response included an offer of £100 compensation was not good enough.

They did not acknowledge the lack of policy and the need to amend the policy regarding disabled and vulnerable tenants. I therefore sent it on to the Housing Ombudsman where it is only just nearing its resolution after almost two years. I have been offered an additional £150 compensation on top of Clarion's original offer of £100. But my aim is to get Clarion to look at how they treat disabled and vulnerable tenants generally, and especially in a pandemic. Also, to look at how they make reasonable adjustments for their disabled tenants.

This could be seen as a grey area when there is the condition of the property to consider, and the 'unprecedented' situation of a pandemic. However, if a disabled/vulnerable tenant is trying to reduce the risk of infection of a potentially fatal virus, then Clarion need to come up with a 'reasonable adjustment' and respect the decision of the tenant, especially when a new boiler was only just installed and it was within the time period of an official gas safety certificate.

I have many experiences of my health and disabled status being completely ignored by Clarion. They don't give priority to disabled tenants for repairs, for example. They have never fully addressed the damp in the property which is certainly affecting my health and causes frequent chest infections making me more clinically vulnerable to Covid virus.

They have just ignored my needs as a tenant and as a disabled tenant.

It's a sad and sorry state of affairs to look at my landlord Clarion's track record, when there was a time when as Circle 33 they had a distinctive and committed approach to provide decent housing and decent services to the most vulnerable in society. That is how I was housed by them in the first place, because of my vulnerability. I met the criteria for housing. They had a mission statement to that effect. Those days are long gone it seems.

I now totally mistrust Clarion and their contractors to follow through or follow up on anything. I just do not trust them anymore to even show up, or to provide any kind of decent repair service. Lengthy waits and delays to repairs and to the works programme. It is commonplace for them to fob tenants off, even if they are disabled. This of course is all based on my previous and ongoing lived experience.

**f) Sam: Ability Housing**

My landlord is charging £10 per week Enhanced Housing Management. This is a blanket charge which was introduced with no consultation of any kind. There is no "opt out" option. Their justification is there are SOME disabled people that they house. Most Councils and HAs have got an opt out choice. This is presumably because of the Modern Slavery act (not able to make charges that tenants neither want nor need). Neither IS nor the council will pay as the charge is deemed illegal by both, yet arrears are still added. They have not taken anyone in our block to court (been 4 years of arrears), presumably as they know they will lose.

**g) Lesley: Clarion**

I live in a flat in a retirement complex. I am fast approaching 82 years of age. I am disabled and in possession of a blue badge.

There a total of four residents with blue badges in our complex and two disabled parking bays. Unfortunately, the need to keep the two bays exclusive to the use of disabled tenants is ignored by residents and visitors. When Clarion trades people and contractors are in the area, they use the parking spaces. There can be as many as five large vans in our car park at any time. There is no special consideration given to the needs of disabled tenants. I consider this Disability Discrimination.

**h) Jo: L&Q**

I have a disability called Fibromyalgia and the main symptoms are chronic pain all over my body, chronic fatigue, headaches, migraines, depression, fibro-fog, anxiety and insomnia.

A fibromyalgia flare-up is an increase in the intensity or number of symptoms associated with fibromyalgia. Usually, increased pain and worsening fatigue are the hallmarks of a fibromyalgia flare-up.

I moved into my L&Q flat in March 2019 but it has been hell from day one. My studio flat is a ground floor flat in a house conversion of four flats and the studio flat above me is owned by an L&Q leaseholder and had two adults and two children under ten living in it. This was not disclosed to me when I viewed the property and no noise was heard because they were out.

When I moved into the flat, I was fit and healthy and working full time in HR but my mental and physical health has deteriorated from living in the flat and I am currently unable to work. I am having counselling and having to take anti-depressants for depression due to having to listen daily to banging on the ceiling, heavy footsteps, fighting between the parents, slamming doors, drawers being slammed so loud that I hear it through the floorboards, and other noise nuisance.

The sound proofing between the flats is non-existent and I have to hear their daily activities all day. My Fibromyalgia flare ups HAVE become worse and more frequent and debilitating due to lack of sleep and the stress of having to live in a flat with very poor sound proofing, living under noisy neighbours for over two years with nothing being done about the noise. My numerous complaints to L&Q have been ignored.

I applied to L&Q's Rehousing Service on medical grounds for the betterment of my health four times. Each time I submitted medical evidence and a letter from my GP explaining what my disability is, how it affects my mind and body, how the noise is making my health worse and recommending that I be moved. Each time I have been denied a move.

The first two times they deemed my health not bad enough to warrant a move according to their policies, and the second two times after the pandemic, they have said they are only going to help people whose homes are not safe to live in so they will not help me to move.

I started complaining in 2019 about how the noise is affecting my health and I have complained to them about it over 20 times but I am always told there is nothing L&Q can or will do about the noise. They class the noise as 'household noise' and they will not install soundproofing because they have said it is too expensive.

I made an official complaint to L&Q on 13th August 2021 regarding the fact that I have complained about the noise affecting my health for over two years and nothing has been done but my complaint was closed on 9th September even though it wasn't resolved. I have also contacted my local councillors and MP but they haven't helped.

The longer I stay in this flat, the worse my mental and physical health has been affected and I am now feeling suicidal because I am tired of being in pain and fatigued all the time due to how the noise is affecting my physical health. I feeling anxious and depressed all the time because I am not happy in my home and my life is being affected through no fault of my own.

### **i) Ivana: Accent Group**

I joined Nene Housing nearly 18 years ago. They were very kind and caring and concerned for my comfort and wellbeing. Nene was merged into Accent Group which is a huge housing association. Sad to say they cannot be bothered with me as a disabled person and even told me not to contact my housing officers but just ring the main phone number or send an email should there be any concerns. I am ignored and uncared for. There are supposed to be yearly welfare visits but they never happen.

Although I am online, I am unable to use this, so communications with the housing association. When repairs are scheduled, they are **always** delayed if not totally forgotten. Nothing is getting completed, so the work gets put back, weeks, months and years.

### **j) Layla: One Housing Group**

As a tenant of over 30 years who suffers from depression and anxiety, they have severely abused me whenever I complained about anything. Of late, they did plumbing incorrectly, leading to severe long term flooding. There is stagnant flood water under the floor, as well as damp and mould, but they refused to remove it. The smell has made me severely ill, and I had to move to a hotel at my own cost. They never used infrared equipment to check under the subfloor. This is causing me the usual extra work, as is typical, even with something

straightforward. Instead of them carrying out the repair properly, I am now chasing councillors, MP's, environmental health and advice agencies, with no progress. The place is not habitable and I urinate in a bucket and no longer have baths or showers.

The surveyor dealing with the current issue is not a surveyor with RICS, but a site manager. He is not competent to assess flooding damage. The area responsive repairs manager has dismissed the smell as not being a sign of a very serious issue.

Having them as a landlord has pretty much ruined my life due to their unfailing ineptitude and incompetence and the untrained staff they use.

**k) Louise: Clarion**

We have lived in the house paying the rent for 44 years. My daughter has severe learning disabilities and is in residential care. We have often requested adaptation of the bathroom to meet her needs when she is home, always denied. The current landlord is Clarion Housing. Like Circle 33, there is no planned maintenance programme all renovation of the kitchen and bathroom has been achieved by my son.

**l) Samira: Clarion**

I've been trying to get moved into a more suitable home for my severely disabled son for over seven years. I was moved into my Clarion home on the promise that adaptations would be made. An occupational therapist said that we needed a ground-floor wet room and bedroom. Clarion has now refused to make the adaptations saying that it is a family home. I have had lots of issues with disrepairs, including a back door and patio doors that need replacing, but still they won't carry out the work.

**m) Harry: L&Q**

My landlord is L&Q: the worst! They make no attempt to help disabled residents. In January 2020, they were told by the Occupational Therapist to fit a handrail. They failed to act and used Covid as a perfect excuse. In June 2020, I fell, due to the lack of handrail and broke my ankle. Because of being housebound, I missed seeing my dad before he died in September. They'll never be able to compensate me for that. As of today, I have constant pain and still don't have a handrail. That's how much L&Q care.

**n) Rachel: Inquilab**

I am a carer for my mother, Irene - 79 years old. She is disabled and fragile with osteoporosis, osteo-arthritis, COPD, asthma & Diverticulitis (a stomach/bowel condition). She medically retired age 73.

We have experienced huge obstacles and delays to requests for repairs and adaptations in the house. It is affecting my mum's quality of life, her ability to meet her basic personal hygiene needs, for lengthy periods of time. We therefore requested an overhead shower Dec 2018, and were told by customer service operative they would not do this due to expense.

So we then went through a very long drawn out process with local Adult Social Care Team which ended up with them refusing to do adaptations to bathroom because my mum wanted a walk in shower rather than a wet room. They said they only did wet rooms and we would have to go back to the landlord if it is a case of needing anything other than a wet room. In 2020, two years after original request, we still no overhead shower.

Eventually following a complaint (including Housing Ombudsman because Inquilab kept ignoring us and didn't complete works) in 2021 Inquilab installed a pump beneath the bath to improve the water pressure. That pump probably cost approximately £100 - £130.00.

It stopped functioning after a month or so and caused huge leak through bathroom floor to the kitchen. There is still water damage.

We made a complaint which was ignored by Inquilab. We asked for a decent overhead shower to be put in, compensation for loss of use of bathing facilities for my mum and general stress and inconvenience, including contractors not showing up, or showing up but being unable to complete the job due to lack of necessary skills.

The complaint process still going on because Inquilab have never formally responded to the original complaint. We then involved the Housing Ombudsman and Inquilab eventually sent contractor out end of 2021 to replace the faulty pump and to paint kitchen water damage walls (missed some and the whole kitchen looks terrible), but still no formal response from Inquilab to our complaint and compensation request.

The Housing Ombudsman is still involved and on a number of occasions have obviously instructed Inquilab to act (hence pump replacement and decoration work to kitchen) but Inquilab have not acted and we are **still** waiting for the formal response.

The Ombudsman now asking for a signed letter to be emailed to them as proof that I am authorised to act on my mum's behalf (even though my mum sent them an email to that effect). My mum is currently in hospital following a fall at home and fracturing her hip, so this creates more delays to resolving this complaint.

My mum needs a walk in shower more than ever now. It just does not bear thinking about how hard and how long it will take, to get this from Inquilab!! This has been a need that Inquilab were alerted to since December 2018, four 4 years ago.

### **o) Michaela: MTVHA**

I have been having issues with disrepair in my property since 2005. Due to the amount of stress each time an issue occurs (this is the fifth time now), I have post-traumatic stress disorder, panic attacks, anxiety, and insomnia.

In December 2021 part of the ceiling in my kitchen collapsed due to another leak from the flat above. I reported it to MTVH. There have been no repairs, support or communication to resolve the issue.

I have asked to be transferred to another property but was told it will take years and that I basically need to join the queue and put an application in via a website.

I'm extremely worried and anxious about my mental health at the moment. I need help to get a decent home where I can feel safe and in peace.

**p) Carl: L&Q**

I am a diagnosed paranoid schizophrenic and tenant of leading housing association L&Q. In 2018, I made a formal reasonable adjustment request asking that the landlord give reasonable notice of appointments, rather than just turn up unannounced at my door.

The request was prompted when L&Q's gas safety contractor scrapped the practice of sending out appointment times for annual gas checks and began to rely on cold calling.

I find unscheduled visits deeply unsettling. The request for advance notification seems entirely reasonable. To avoid stress and misunderstandings, it allows me to prepare myself and my flat for social interactions, and helps me successfully navigate potentially stressful situations. Knowing the time and date of a visit therefore makes a profound difference.

Advance notice arguably benefits all involved, and is usually considered a common courtesy when visiting someone's home. This is the case regardless of whether the person has a disability or not. It also surely makes the contractors' jobs easier, increasing the likelihood that tenants will be at home and receptive rather than absent or obstructive.

As a reasonable adjustment, it would be hard to imagine anything less burdensome than providing notice of appointments. But when L&Q shifted to cold calling, they ignored the prior agreement to send notification of visits.

In fact, they didn't bother to acknowledge receipt of my reasonable adjustment request, but instead threatened to evict me if I did not give the contractors access. L&Q then went further, instructing the contractor SureserveGroup Ltd, to ignore my requests for appointment times.

Contrary to their legal obligations, L&Q did not just dismiss my reasonable adjustment, but actively resisted its implementation, placing unnecessary barriers in everyone's way.

I took my complaint to the Regulator of Social Housing who acknowledged that I had not denied access to contractors, but had simply requested an appointment time, and that the request was made as a reasonable adjustment for reasons of disability. But all the same, the Regulator decided L&Q's conduct didn't breach standards.

Although this finding was disappointing, it was no surprise. At the time, the Regulator hadn't upheld any complaint relating to its Tenant Empowerment and Involvement Standard – the element of its brief specifically dealing with disability equality issues.

Back to L&Q, where it took over 200 days for the landlord to formally acknowledge receipt of my reasonable adjustment request and to formally agree to provide reasonable notice of appointment times. Although this was a small victory, it turned out to be a hollow one. L&Q has failed to comply with the agreed reasonable adjustment over annual gas checks and almost all other maintenance and repair issues.

L&Q's behaviour took a distinctly vindictive turn in 2019 when they decided the regional gas manager and multiple contractors all needed to be in attendance at my annual gas check – as if I was a threat – causing maximum stress.

It meant my mental health team was forced to intervene and initiate safeguarding proceedings against L&Q. In 2020 SureserveGroup Ltd remembered to send out the notice of annual gas check appointment in compliance with the reasonable adjustment but then a few days beforehand, cold called by phone to confirm the appointment. This was something they were prohibited from doing. When the call went unanswered, they cancelled the appointment and sent me a letter claiming I had denied them entry and threatening legal action to gain access.

I once again complained and SureserveGroup PLC initially apologised for failing to comply with the reasonable adjustment. Then in August 2021 they appeared at my door unannounced to undertake the gas check. Seeking to avoid any further stress, I let the SureserveGroup Plc gas engineer in, but questioned why he hadn't received notice of the appointment in line with the reasonable adjustment. The gas engineer said he didn't like my attitude and would arrange for someone else to undertake the gas check.

When I raised this with SureserveGroup Plc they apologised again for the gas engineer's behaviour, stated that there was no record of a reasonable adjustment being required on their systems, and claimed it was L&Q's responsibility to notify me of the annual gas check appointment time.

For its part L&Q claimed in a written response that SureserveGroup had sent out multiple appointment letters to but that these must have been 'lost in the post'. To evidence this they provided a letter from SureserveGroup claiming it had been denied access. This contradicted everything SureserveGroup Plc had claimed.

In 2019 I complained to my MP. In response to my MP, L&Q claimed that it had flagged up the reasonable adjustment on its IT systems so that the cold calling would no longer occur. This was never followed up in practice. L&Q and its contractors still have no mechanisms in place to ensure compliance with reasonable adjustment requests. It simply isn't a priority for them.

## SECTION THREE: SUMMARY AND CONCLUSION

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### 3. Conclusion

It is important to highlight that these testimonials are just a small sample of cases, and that around 90% of complaints to SHAC are from people suffering some form of disability. This includes depression and anxiety directly caused by interactions with the landlord, and ill-health conditions caused by damp, mould, and other forms of disrepair. In other words, mental and physical disabilities are being caused by housing associations.

The testimonials highlight some of the problems caused to disabled tenants and residents when landlords fail to make reasonable adjustments and adaptations to properties or procedures, and fail to appreciate the additional disadvantage faced by disabled people when their properties are in a state of disrepair, and to prioritise these cases for swift repairs.

It is not enough for housing associations and those charged with regulating their governance to provide guidance and recommendations to remove disability discrimination. It is clear that despite the protections in the Equality Act 2010, greater legislation and meaningful sanctions are needed in order to ensure compliance with the Act.

SHAC will continue to campaign for housing that is suitable for all tenants and residents, including those with disabilities. We will continue to lobby association executives and the government to eliminate disability discrimination.