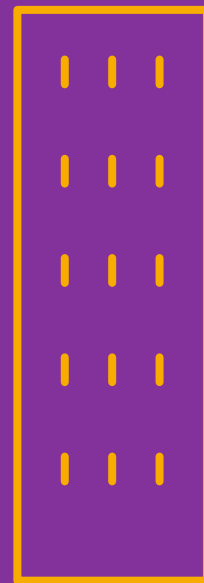
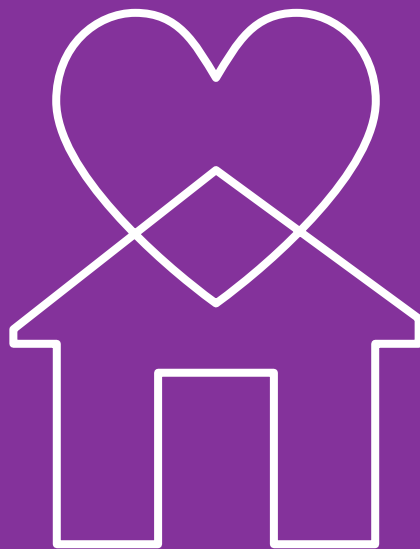
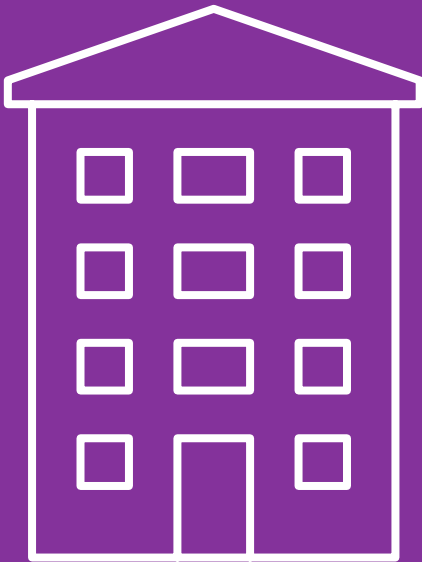




COMPENSATION CLAIMS

A Guide for Tenants and Leaseholders



 **RESET**

 **RESHAPE**

 **RESTART**

COMPENSATION CLAIMS

A Guide for Tenants and Leaseholders - Part One

This guide is published without prejudice and does not mean that the Council, its Contractors or Agents accept any liability. It is intended to provide details of what you should do if you consider that you have a justified claim for compensation against the Housing Directorate.

If you want to claim compensation for loss or damage arising from a repair which has been carried out or for a repair that has not yet been carried out or completed, you should complete Part Two of this form and submit it to by post or email to the addresses below.

Damage arising as a result of a repair we have carried out should ordinarily be **notified to us in writing within 28 days** of when the loss or damage occurred. We may not accept claims submitted outside of this timescale unless there are valid reasons for any delay – this is confirmed at clause 7.22.6 of your Conditions of Tenancy.

Non repair related claims – if your claim does not refer to loss or damage arising from a repair you should still submit the completed form to us by post or email to the addresses below, and we will ensure that this is forwarded to the relevant team.

Please send your completed form to:

City Housing – Compensation Claims
PO BOX 16832
Birmingham
B2 2RL

Useful Information

To support any claim, it is always useful (where possible) to provide photographs, receipts etc. Where possible, you should also keep any damaged items you are claiming for until your claim has been settled.

Tenants and Leaseholders are always advised to take out contents insurance and to pursue claims via this method in the first instance – the Council offers a contents insurance scheme for tenants and leaseholders: [Contents insurance for council tenants and leaseholders | Birmingham City Council](#)

What Happens Next?

If your claim is for personal injury, this will be referred to the Council's Insurance Office for consideration. Claims for significant compensation may also be forwarded to this team for consideration, at the discretion of the assessing officer. If this is the case, you will be notified of this, and the relevant contact details will be provided.

For all other claims, you will receive an acknowledgement of your claim within 10 working days to confirm that we have received and are considering your claim.

We will carry out an investigation into your claim. This may require a visit to your property to obtain further details or to inspect any relevant damage. We will aim to do this as soon as possible after receiving your claim. We may request further information from you (such as receipts and photographs) if these were not provided with the claim and are required.

We will keep you updated with the progress of your claim and we aim to notify you of the outcome within 30 working days of receipt.

Note: In accordance with clause 5.13 of your Conditions of Tenancy we may deduct any compensation awarded from any existing housing-related debt (rent arrears, rechargeable repairs, court fees etc.) This will be decided on a case-by-case basis. We aim to deal with all claims in a fair, transparent and reasonable manner.

**Birmingham City Council has a duty to protect public funds.
Fraudulent or dishonest claims, where detected, will be treated
with appropriate seriousness and relevant action taken.**

If you are not happy with our decision you can submit an appeal; details of the appeal process will be given in the outcome letter. If you remain unhappy after the appeal has been considered, you can refer your claim to the Housing Ombudsman; details will be provided in the appeal decision letter.

COMPENSATION CLAIMS

A Guide for Tenants and Leaseholders - Part Two

Please note that the issue of this form does not constitute acceptance of liability.

Please complete **ALL** questions as accurately as possible.

Full name:

Address:

Daytime Telephone Number:

Date of Birth:

Are you a Council Tenant?

Yes No

Leaseholder?

Yes No

Do you have any contents insurance?

Yes No

If Yes, supply name and address of the insurance company
and supply the policy number:

Do you have any ongoing claims against the Council?

Yes No

If Yes, please provide details and contact officer details for that claim:

Have you made a previous claim against the Council?

Yes No

If Yes, please provide details and contact officer details for that claim:

PERSONAL INJURY CLAIMS ONLY

Full name of injured person: (if different from claimant)

Date of accident:

Place of accident:

Who has the accident been reported to:

Did you attend a GP surgery or hospital?

Yes No

If Yes, please state date and name of surgery/hospital attended

Names and addresses of any witnesses:

Details of injury and how the injury occurred:
(continue on a separate sheet if necessary)

PERSONAL BELONGINGS CLAIMS ONLY

Full name of owner (if different from claimant):

Date of damage:

List of items damaged: (continue on a separate sheet if necessary)

Send copies of receipts (not originals) if available

You should keep any damaged items you are claiming for until your claim is settled.

Where can the items be inspected?

Details of damage and why you consider the Housing Service or its agents to be responsible: (continue on a separate sheet if necessary)

DECLARATION

I/We declare that the details above are true and complete.

The City Council reserves the right to offset any outstanding debt you may have at the time of settlement and deduct this from any compensation payment.

Signed:

Date:

Detach Part Two of this form and return it to us at the address shown on page one. Keep Part One for your information.

The information you provide is confidential and subject to the requirements of the Data protection Act 1998. This personal data will be held and processed by Birmingham City Council for the purposes of assessing your claim and processing any payment thereof subject to liability being accepted.

The personal details you provide may also be shared with our repairs partners, our insurers and their loss adjusters, our legal representatives and their agents who assist in the assessment and defence of compensation claims requiring such disclosure and to protect the public funds the City Council collects and administers.

Any data may be used to prevent fraud or the misuse of resources. For further information of our privacy notice, please visit www.birmingham.gov.uk/privacy

A copy of your personal information can be obtained by writing to Repairs Service Improvement Team, Place Directorate, PO Box 15514, Birmingham, B2 2PJ.