

Unipol Code Tribunal

Meeting held on 16/05/2011 at University of Bradford, Chesham Building, Bradford

Meeting to consider a complaint against Mrs Zohra Rashid.

Attended by: Dr Brooks - Chair  
Mr Nabeel Hussain - Vice Chair  
Mr Chandu Mistry - Vice Chair  
Mr Simon Kemp - Accreditation  
Mrs Jules Dix - Code of Standards Administrator

Visitors: Mrs Z Rashid  
Mr A Rashid  
Two former tenants

### **Mrs Z Rashid**

#### *Details of the Complaint*

The complaint arose because the former tenant felt that certain aspects of his tenancy had been unsatisfactory, and included issues of alleged disrepair, non-disclosure, and forceful eviction. The former tenant alleged that Mrs Rashid was in breach of the following clauses of the Code:

- 2.04 *A full set of agreement/s are issued to the tenant/s at the grant of the tenancy.* The former tenant claimed he signed a separate piece of paper which was not attached to a tenancy agreement, and was not provided with a copy of the tenancy agreement.
- 2.06 *The owner clarifies whether s/he retains responsibility for payment of water charges, utility charges and Council Tax.* The former tenant claimed that he was not made aware that utility charges were not included in the rent payments
- 2.08 *Where transactions are undertaken in cash a written receipt will always be provided by the Owner.* The tenant claimed that he was not provided with a written receipt for cash payments
- 2.09 *The name and current registered address of the owner/agent is stated on the agreement.* The former tenant claimed that he was not provided with a contact address for the landlord
- 3.06 *All properties are maintained in a satisfactory state of repair and in full compliance with the provisions of section 11 of the Landlord and Tenant Act 1984.* At the commencement of his tenancy, the former tenant claims that the property was in a state of disrepair.
- 3.07 *Repairs completion performance standards should be achieved.* The former tenant claimed the repairs were not carried out within the appropriate timescale
- 4.00 *The property and boundary is maintained free of any avoidable or unnecessary hazards.* On 3rd March 2011, during the course of repair work being carried out, the former tenant claimed that his room was left in an unsafe condition, which resulted in the tenant causing injury to himself and further damage to the property on 5th March 2011
- 6.04 *Owners undertake to maintain courteous professional relations with tenants during any dispute.* The former tenant claims that he was threatened by Mr Ali Rashid and evicted from the property without notice

This matter was brought before the Tribunal as there was a clear dispute over the conditions and ending of the tenancy.

#### *Other Matters that the Tribunal Took into Account*

The Tribunal reviewed correspondence from the former tenant to the landlord and to Unipol, as well as correspondence between Unipol and the landlord.

#### *Tribunal Report*

The Tribunal heard from all the parties present and considered the issue of whether or not to uphold the complaint made against Mrs Rashid.

The Tribunal began by considering the statement of the former tenant, who was asked to recount the details of his tenancy and the specific events leading up to the ending of his tenancy. The Tribunal questioned the former tenant about aspects of his statement, particularly the events immediately prior to the ending of the tenancy.

The Tribunal then considered the statement of the landlord, Mrs Rashid, and her son, Mr Rashid, who acts as her agent. The Tribunal questioned the landlord and agent about aspects of their statements, particularly their procedures for carrying out repairs and issuing receipts, and the events immediately prior to the ending of the tenancy.

#### *Decision*

The Tribunal upheld the complaint made by the former tenant, and took the following decisions:

- That Mrs Zohra Rashid should be suspended from the Code indefinitely
- That the deposit paid by the former tenant to Mrs Rashid should be returned to him in full
- That copies of the gas and electrical certification, and HMO license for the property in question should be provided to Unipol
- That a press release should be issued