

New Homes Ombudsman

Case Study: **Delayed moving in date due to outstanding snagging issues**



Issue

The customer complained to the New Homes Ombudsman Service (NHOS) when their home demonstration took place on the same day as completion but wanted the developer to have fixed issues before moving in. This resulted in them paying for their rental property for longer.



Relevant sections of the New Homes Quality Code

Part 2

Legal documents, information, inspection and completion

Part 3

After-sales, complaints and the NHOS



Circumstances

- The customer's home demonstration had to be on the same day as legal completion, leaving little time for the developer to fix any issues before moving in.
- The developer acknowledged several issues, especially with the flooring, and took actions including full replacements and redecoration.
- As some items were considered to need full replacement, this delayed the resolution process further, and the customer did not wish to move in until these issues were fixed. This led to the customer remaining in rented accommodation while also paying for the new property.
- The developer admitted the redecoration caused minor paint spots on the customer's furniture and offered professional cleaning to resolve this.
- Despite this, the developer believed the issues were minor and should not have prevented the customer from moving in at completion.

Ombudsman's decision

The Ombudsman concluded that the developer was responsive to the issues raised by the customer, and that any delays were the result of offering to replace items, where replacement was arguably not necessary.

The action proposed by the developer concerning the paint damage was considered proportionate and fair. Overall, the evidence indicated that the property was complete and liveable at the point of legal completion, and the after-sales service levels met the requirements of the Code. This complaint was, therefore, not upheld.



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Outcome

This complaint was **not upheld**

Learnings



- What developers may consider to be minor issues might be significant concerns for customers, especially if they are believed to impact the liveability or functionality of the property. This case highlights the need for developers to help customers manage and align their expectations from the start.
- It is important to strike a balance between addressing customer concerns promptly and ensuring that the solutions provided meet quality standards. In this case, the redecoration efforts undertaken by the developer resulted in minor paint spots on the customer's furniture. This demonstrates that while a prompt response to issues is ideal, rushing to address snags without thorough preparation can lead to further issues.

Recommendations for developers

Clearly communicate with customers about common snagging issues and their severity, to align their expectations. Provide detailed explanations about the nature and impact of cosmetic issues to encourage better understanding.

Ensure thorough preparation before addressing customer concerns. This includes assessing potential impacts on customers' property or belongings, and undertaking protective measures, such as covering or relocating furniture, to minimise the risk of damage.

