

New Homes Ombudsman Case Study: High-Pressure Sales, Defect Delays and Inconsistent Communication



Issue

The customer alleges that the developer used high-pressure sales tactics and failed to conduct proper quality checks before legal completion. The customer also reports delays in resolving defects and inconsistent communication throughout the process.

Relevant sections of the New Homes Quality Code

Part 1

Selling a new home

Part 3

After-sales, complaints and the NHOS

Circumstances

- The customer reserved the home in January 2024. They viewed it before buying and completed the purchase in March. Some minor issues were noted then, but the property was signed off as ready to move into.
- After moving in, the customer raised concerns about several problems, including uneven flooring, poor garden quality, and issues with the bathroom layout. They also complained about high-pressure sales tactics and poor developer communication.
- The developer agreed to fix some of the issues and arranged a repair plan, but there were delays due to disagreements over what needed to be done and issues with gaining access to the home.
- Throughout late 2024, the customer and developer exchanged several emails and held meetings to agree on repairs. The customer asked for all work to be completed at once to avoid repeated disruption, and a floor survey was eventually arranged in early 2025.
- The survey confirmed the ground floor was not level. The developer prepared a three-week remediation plan, but some issues, such as garden flooding, remained unscheduled.

Ombudsman's decision

The Ombudsman found no evidence that the developer pressured the customer into reserving or completing the purchase early, and legal completion took place within the expected timeframe.

While several issues were reported, and some repairs were completed within 30 days, others were delayed without clear communication. The Ombudsman found that the developer did not always act promptly or keep the customer properly informed.

However, the overall build quality was not below standard, and the home was considered complete at handover.

Although many surveys were conducted, the developer took too long to confirm the extent of the ground floor issue and agree on a fix. The Ombudsman determined that the level differences across the entire floor were significant and should have been dealt with more promptly.



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Outcome

Complaint **partially upheld**. Customer awarded £3,500.



Learnings

- Delays must be clearly explained and well-communicated – even if issues take time to resolve, developers should keep the customer informed and follow up promptly.
- Record-keeping is critical. Clear documentation, such as signed checklists and inspection reports, can demonstrate the actions taken.

Recommendations for developers

Where remedial work is needed, set a realistic plan with the customer and keep them updated to manage expectations and minimise disruption.

Be transparent when issues arise outside the original specification. If a customer raises concerns about missing features or design points, refer to the signed drawings and explain clearly why certain elements were not included.

