

New Homes Ombudsman Case Study: **Snagging Issues and Incorrect Parking Installation**



Issue

The customer complained that the developer failed to resolve snagging issues within 30 days and did not provide updates as per the Code. They also complained that the developer built a public footpath in place of a communal visitor parking bay in front of their property. The developer returned to make repairs by digging up their front garden but did so without obtaining permission or giving prior notice.

Relevant sections of the New Homes Quality Code

Part 3: After-sales, complaints, and the NHOS

Circumstances

- The customer reported multiple snagging issues to the developer. While some remedial works were completed within 30 days, others exceeded this timeframe.
- They also claim that they did not receive updates in line with the communications timeline stated in the New Homes Quality Code.
- Additionally, due to an error, the developer constructed a public footpath in front of the customer's property instead of a visitor parking space.
- Although the developer verbally informed the customer of the necessary corrective work, they failed to provide a scheduled date or obtain consent before digging the front garden.
- The customer expressed concerns about the developer's lack of communication regarding the parking bay. They also claim they had to point out that the developer was excavating using incorrect dimensions.

New Homes Ombudsman Case Study: **Snagging Issues and Incorrect Parking Installation**



Outcome

Partially upheld. The customer was awarded £300 in compensation.



Ombudsman's decision

The Ombudsman found that the developer completed most of the snagging work in a timely manner and kept the customer informed. However, some delays occurred due to supply chain issues outside the developer's control and a 12-day Christmas closure, but overall, the Ombudsman was satisfied that progress was reasonable.

In one instance, the developer acknowledged that they had mistakenly closed a still-outstanding job, leading to repair delays. The developer accepted that they failed to update the customer regarding this specific delay.

The Ombudsman also determined the customer was aware that a visitor parking bay was to be installed at the front of their property. However, the developer admitted that they did not seek the customer's consent before commencing work that involved digging up their garden, nor did they provide prior notice of when the work would occur.

Furthermore, the developer failed to construct the parking bay according to the agreed specifications at the time of reservation, only rectifying the issue after the customer raised concerns.

Learnings

- Developers must provide timely and transparent customer updates regarding remedial works, mainly when delays occur.
- Any work that alters a customer's property, such as digging up a garden, requires consent and prior notice.
- Specifications, such as parking bay dimensions, must be adhered to if in the plans

Recommendations for developers

Maintain a clear record of all customer interactions to track and resolve issues effectively.

Before carrying out any work that affects a customer's property, evidence of consent should be obtained, clearly outlining the scope and impact of the work.

