

New Homes Ombudsman Case Study: **Brickwork Quality**



Issue

The customer complained that the brickwork on three elevations, as well as the garage padstone, was of poor quality and failed to meet the warranty provider's technical standards. They also raised concerns about the developer's alleged lack of responsiveness in addressing the issue.

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

- Shortly after completion, the customer raised concerns about the brickwork. The developer commissioned two independent reports, including one by a structural engineer.
- The customer disagreed with the proposed remedial works and was advised to contact the warranty provider's resolution service if they were unhappy.
- As the issue remained unsolved, a third report was obtained from the warranty provider. The developer was then advised to complete the directed remedial works, and major repairs were made to three elevations and the garage padstone.
- The customer said the work missed the deadline and claimed they were not informed of the reason for the delay.
- Although the property met the warranty provider's standards, the customer felt the brickwork remained unsightly.
- The customer sought compensation for alleged lost workdays, shift changes, and stress from living on a noisy, hazardous building site during repairs.

Ombudsman's decision

The Ombudsman reviewed the evidence and found that the developer acknowledged defects in the brickwork and had completed remedial works within the warranty provider's timeframes. However, as this part of the complaint had already been addressed through the resolution process, it fell outside of the Ombudsman's remit for adjudication.

Some remediation delays were outside the developer's control, including adverse weather and awaiting third-party reports, so the developer could not be held wholly responsible.

The developer tried rectifying defects and apologised for delays caused by external factors. While the customer sought compensation for lost work time, they did not quantify the time lost, provide evidence of financial loss, or show that defects remained unresolved.

However, the developer's handling of the remediation fell short. The initial brickwork repairs were inadequate, requiring further investigation and additional work. The developer also failed to keep the customer updated on delays. As a result, they did not meet the requirements of the Code.

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Outcome

Complaint **partially upheld**. Customer awarded £1,500 compensation.



Learnings

- Regularly update the customer, even if the delay is caused by an external factor or a third party.
- Remedial works should be completed thoroughly and to a high standard to prevent further complications.

Recommendations for developers

Proactively communicate with customers, providing regular updates to foster trust and effectively manage expectations.

Ensure staff are well-informed about industry standards and building requirements. Staff should verify that all work is completed in accordance with the standards set out to the customer.

