


New Homes Ombudsman

Case Study: **Noise Complaint**



Issue

The customer complained that they could hear noise through the property's party wall and were concerned that their property had not been built to standard. They claimed that the developer ignored their complaints.



Relevant sections of the New Homes Quality Code

Part 3: After-sales, complaints and the NHOS



Circumstances

- The customer complained that they could hear doors opening and closing, music, the sound of appliances and footsteps through their party wall from the adjoining property.
- Insulation installers investigated and explained that additional insulation would not improve soundproofing.
- The customer asked for further information about the standards of the party wall's construction. The developer provided the specification of the insulation material and confirmed that they would not take further action.
- The developer treated the customers concerns as a formal complaint. A confirmation that an initial investigation would occur was provided to the customer. A further response cited the complaint as a 'neighbourly dispute'. The complaint was closed.
- The customer remained dissatisfied and was signposted to their warranty. The customer subsequently complained to their warranty provider.
- The developer commissioned a specialist report measuring the sound transference in the property against approved standards. The report found compliance with reasonable resistance levels.

Ombudsman's decision

The Ombudsman reviewed the evidence available and found that the property complied with the necessary standards despite the customer's concerns about quality.

The evidence indicates that the developer did not ignore the customer, and from the correspondence provided to the Ombudsman, they appear to have responded promptly. However, the customer's frustration is clear, perhaps exacerbated by the quality of the complaint responses they received.

Although the warranty provider reported compliance with construction standards, the developer's suggestion that the customer might raise a case with them seems to be an afterthought rather than a clearly signposted path to resolution. The closure of the complaint without directing the customer to this option was premature.

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Outcome

Complaint **partially upheld**. **£100.00 was awarded** to the customer for shortcomings in complaint handling.



Learnings

- Developers must acknowledge all complaints and concerns raised by customers.
- Developers must provide quality responses to all customer complaints.
- Developers must provide details about how customers can make a formal complaint about any issue or problem if they are not happy with how the developer proposes to deal with it.

Recommendations for developers

Providing a quality response to customer complaints can prevent escalation. In this case, the customer complained numerous times before it was recommended to raise a complaint with NHBC.

Make it clear to customers how to refer escalate a complaint if they remain dissatisfied.

