

# New Homes Ombudsman Case Study: **Information Provided Concerning Streetlight Positioning**



## **Issue**

The customer complained that the developer gave them false information about the location of streetlights on the development, although they acknowledged that this was unintentional and a genuine error. Nevertheless, they relied on the incorrect information they were given. For them, the location of street lighting was a key factor in deciding which plot they preferred.



## **Relevant sections of the New Homes Quality Code**

Part 1

**Selling a new home**

Part 3

**After-sales, complaints and the NHOS**



## **Circumstances**

- When the customer reserved the property, a sales adviser showed them the plan and advised them that there would be no streetlight outside the property that they had chosen.
- The sales adviser subsequently emailed the customer on the day of reservation confirming the location of the streetlighting, clearly stating that the nearest streetlight would be across the road where it would not be visible from the property.
- However, the sales adviser misinterpreted the plan; a streetlight would be located outside the property. The customer relied on the information they were given.

## **Ombudsman's decision**

The developer accepted that they had made an error, but despite this and the subsequent efforts they made to relocate the streetlight, they had failed to provide clear and accurate information to the customer.

The streetlight was moved to a new position, but there was a three-month period when the drive of the new home was partially obstructed by the street light column. When it was relocated, its final position was closer to the property than had been represented on the plans and it was still clearly visible from the windows.

The Ombudsman concluded that the requirements of the New Homes Quality Code had therefore not been met, as the customer was entitled to expect that the sales adviser would give them correct information and had suffered both temporary and permanent inconvenience.

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## **Outcome**

Complaint **upheld**. Customer awarded £1500.



## **Learnings**

- It is important that sales advisors have access to correct information and training. Details that might feel inconsequential can be of major importance to the customer.
- Developers should provide an explanation to customers of how they will manage any after-sales issues to avoid further problems.
- Installing a streetlight that partly obstructed a customer's driveway should not have been agreed.

## **Recommendations for developers**

Make sure sales teams check the accuracy of information they provide to customers. If in doubt, it's better to delay giving an answer to the customer until the facts are checked.

If a piece of development infrastructure is going to obstruct a customer's home, this should be identified before installation. Follow the Code by providing customers with a clear and complete explanation regarding any after-sales corrections to be actioned.

