

# New Homes Ombudsman Case Study: **Gas leak after moving in**



## Issue

The customer complained to the New Homes Ombudsman Service (NHOS) about a gas leak which was confirmed around three weeks after moving in, suspecting it was present at completion and posing a safety risk to them and surrounding properties.

## Relevant sections of the New Homes Quality Code

Part 2  
Inspection checks  
and safety



## Circumstances

- The customer informed the developer during the purchase process that they intended to make changes to the downstairs flooring after they had moved in. At the developer's request, the customer signed a disclaimer with the understanding that their contractor's work wouldn't be covered by the warranty.
- Approximately 10 days after moving in and after the customer's contractor had completed their work, the customer noticed a smell and contacted the developer's sales team. After three visits, including a further report from the customer, a gas leak from a nail in a ground floor pipe was discovered and later resolved by the developer.
- The customer complained to the developer about this, and although the developer did not accept that the leak was present when the customer moved into the property, they offered a two-year guarantee on the repair work and a £500 goodwill payment.
- In their complaint to the Ombudsman, the customer also noted the absence of a carbon monoxide device in the property, despite it being mentioned in the provided documentation including the gas safety certificate.
- In response, the developer maintained the equipment they used differed from the nail found, suggesting it was likely used by the customer's contractor. They also said that there had been no evidence of a gas leak during various documented visits and inspections before completion.

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## Ombudsman decision

The Ombudsman considered that due to the work undertaken by the customer's contractor shortly after completion, it was not possible to establish who was responsible for the gas leak, or that the developer had breached the Code in that respect

However, they expressed concern over the delay and lack of communication, as it took two weeks and three visits to address and identify a potentially serious issue, and the developer had not kept the customer fully informed of their findings after the first visit.

Regarding the carbon monoxide device, there are several documents containing inconsistent information about the presence of a device at the property. It was not clear whether there was a device originally which had been removed, or whether the device was not fitted until the customer brought its absence to the attention of the developer. Therefore, the Ombudsman decided to only uphold the service-related complaints regarding the delay and inconsistent documentation.

As a remedy, the developer had already addressed the issue of the carbon monoxide device and had offered the customer financial compensation of £500 for their patience while the source of the problem was identified. Taking all circumstances into account, the Ombudsman considered this as reasonable redress for the issues identified and no further action was required.



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## Outcome

The complaint was **upheld in part**.

## Learnings



- Promptly addressing and acknowledging customer concerns is essential. The delay in identifying the gas leak, in this case, heightened the safety risks for both the customer and surrounding properties.
- The need for consistent documentation. The inconsistency in the documentation about the presence of the carbon monoxide device, exacerbated the customer's concerns and dissatisfaction.

## Recommendations for developers

Establishing a point of contact responsible for quickly addressing urgent or serious issues, coordinating inspections and repairs, and ensuring appropriate resources are allocated for timely resolution.

Developing robust checklists for inspections, covering key safety areas such as gas and plumbing systems. Ensuring protocols are adhered to by trained personnel at all stages of the build process.

Providing comprehensive documentation for customers and site teams that outlines warranty coverage, safety features, and maintenance procedures. Putting reviews in place to ensure the information is accurate, consistent, and easily accessible both digitally and in hard copy format.

