

Case study

The Property Ombudsman (TPO) - Something in the woodwork

The Property Ombudsman was asked to review a case from the buyers concern over the survey. The buyer claimed the surveyor failed to notify her of the presence of woodworm (active or not). The survey did not mention any evidence of woodworm in the kitchen or hall floorings even though these areas were not carpeted at the time of the survey. Had the complainant known they would have had any necessary treatment prior to moving. Instead she had to vacate the property whilst the work was carried out after moving in.

The surveyor reported that at initial inspection the floor appeared generally free of defect. In the absence of any further visible defect, they concluded that there was no significant problem to the floor. The surveyor commented that the evidence provided by the contractor would only have been found with lifting the floorboards, something the survey clearly stated would not be done. In addition, the work was carried out 9 months after the initial survey in which conditions could have changed during that time.

Findings

The buyer commissioned a level 3 RICS building survey report. The survey stated that the surveyor would use their best endeavours to identify the risk of potential or hidden defects and to see as much as is physically accessible.

The Ombudsman did not consider that there was anything to put the surveyor on notice that there was a potential infestation; no holes were evident at the time the survey was completed. Whilst appreciating the inconvenience caused to the buyer, there was no evidence to indicate that woodworm should have been noted on the survey.

Outcome

The complaint was not supported.

You can find more information about the TPO here - <https://www.tradingstandards.uk/commercial-services/code-sponsors/the-property-ombudsman>

ENDS

Notes for Editors:

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