



# Building Safety Act 2022

## 2022 CHAPTER 30

### PART 5

#### OTHER PROVISION ABOUT SAFETY, STANDARDS ETC

##### *New homes ombudsman scheme*

PROSPECTIVE

#### **137 The new homes ombudsman scheme**

- (1) The conditions referred to in section 136(1) are that—
  - (a) membership of the scheme is open to all developers,
  - (b) the scheme enables qualifying complainants to have complaints against members of the scheme investigated and determined by an independent individual, and
  - (c) the scheme contains the provisions required by [Schedule 9](#).
- (2) A “qualifying complainant” is a person who, at the time the complaint is made, is a relevant owner of a home which, at that time, is a new build home.
- (3) The individual who is to investigate and determine complaints under the scheme is to be known as “the new homes ombudsman”.
- (4) The scheme may also include provision for persons other than qualifying complainants to have complaints against members of the scheme investigated and determined under the scheme.
- (5) The scheme may provide that the new homes ombudsman is not required to investigate a complaint if the new homes ombudsman is satisfied that the complaint (or a complaint which is materially the same) is being, or has been, dealt with under another redress scheme or in legal proceedings.

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*Status: Point in time view as at 28/04/2022. This version of this provision is prospective.*

**Changes to legislation:** Building Safety Act 2022, Section 137 is up to date with all changes known to be in force on or before 08 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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- (6) In this section, “redress scheme” means a scheme under which complaints may be made to, and investigated and determined by, an independent person.
- (7) [Schedule 9](#) contains further provision about the new homes ombudsman scheme.
- (8) [Schedule 10](#) contains amendments connected with the establishment of the new homes ombudsman scheme.

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**Commencement Information**

- II** S. 137 not in force at Royal Assent, see [s. 170\(5\)](#)

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