



# 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*Status: Point in time view as at 01/10/2023. This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Building Safety Act 2022, Section 137. (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\(5\)](#)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Building Safety Act 2022, Section 137.