

18/07/2018

I refer to your letter dated the 17th of July where you appear to suggest that we were indeed aware of the planning situation at the field behind our property when we decided to purchase it, contrary to what was stated in our original letter.

The reason that you have provided for this suggestion is that unrelated persons who decided **not** to purchase the property *were* informed, and so by extension we must also have been informed when we decided to proceed with a purchase.

Since I have already stated that we were **not** informed of this planning situation (and that if we had been that we would not have proceeded with a purchase), you are implying that I am lying when you suggest that we were.

The logic that you have applied here is also deeply flawed for the following reasons:

1. Informing one person of a given fact does not automatically result in other people also being aware of it. We are not all connected by a psychic subconscious. This is why Estate Agents are obliged to inform **all** prospective buyers of issues like this and not just the first ones to walk through the door.
2. These "other persons who viewed", who you claim to have records of having been informed of the planning situation, decided **not** to purchase the property which is why it was later available for us to purchase. I think it is reasonable to conclude that a significant reason for their decision not to purchase – if not **the** reason - was the outline planning permission for 120 homes in the field immediately behind the property.
3. You claim to have records of "other persons who viewed" being informed of the planning situation, but not of us. While you seem to be content with putting that down to coincidence, I put it to you that the reason there is no record of us being informed is because we weren't. Unfortunately for us, being kept in the dark like this resulted in us purchasing a property that we would not have purchased had we been in possession of the relevant facts, and unfortunately for you, this means that Reeds Rains of [branch redacted] failed in their obligations.

Perhaps the branch grew tired of showing the property to people who were immediately put off by this planning and decided to be a little more economical with the truth with the next lot?

Or perhaps the fact that on both of the occasions that we viewed the property they didn't send a proper estate agent and instead sent a gentleman who by his own admission merely helped them out by unlocking the door? Perhaps he was simply insufficiently trained or insufficiently informed? Perhaps the branch was simply negligent?

Regardless of the circumstances behind us not being informed of this vital piece of information, the important fact of the matter is that we were **not** informed. It is unfortunate that the entire [branch redacted] branch has been affected by amnesia, but both my wife and I clearly recollect being informed only that the field was used by locals to walk their dogs and that there was no mention at all of any planning.

You also attempt to suggest that this planning should have been identified during conveyance. This is clearly a distraction tactic. The conveyancing is none of your concern and does not excuse you as the Estate Agent from your obligations as outlined by the Consumer Protection from Unfair Trading Regulations 2008.

It is our desire for this complaint to be dealt with by yourselves without the need for us to involve the Property Ombudsman, but it's up to you. If you continue to imply that we are lying or to shirk responsibility for this blatant failure then we will be referring the matter to the Property Ombudsman where we are confident that they will share our view.

I look forward to a more proactive response from you in your next letter.

Please acknowledge receipt of my letter within 3 working days and provide me with the written response to your investigations within 15 working days in accordance with The Property Ombudsman's Code of Practice.

Yours sincerely

Gareth Jones