

10/08/2018

Dear Mr Jones

I refer to previous correspondence. I have now reviewed your complaint again and am now in a position to revert to you. For ease of reference, I shall address your points using the numbering you adopted.

1. I do not feel that my response of 17th July warranted such derogatory remarks from you. I would urge you to reread my letter where I specifically stated that I would not expect the branch staff to remember the details of a conversation which occurred more than 12 months previously. My comments were given as illustration that there clearly was no intention to deceive or disguise information regarding the surrounding area.
2. I appreciate that you may not be aware that two of the other viewers actually made offers for the property. The first pulled out of the purchase as their own related sale fell through (not through Reeds Rains) and another buyer could not be found for them quickly. The second buyer was at an advanced stage in conveyance when it came to light that her own sale would potentially be delayed several months because of issues with her related sale. Your offer was received at this time and the seller decided to proceed with you, not her.
3. I note that you have provided no evidence supporting your claim. As I shall address later, this is expected by the Property Ombudsman of any complaint.

I would draw two points to your attention. Firstly, the valuation given to our client reflected that the new development would go ahead and affect the market value of the property. Secondly, I would remind you that our sales particulars made no comment in respect of views.

Contrary to your comment that my point about issues such as this being identified during conveyance is a "distraction tactic", I made this point following consultation with one of our panel solicitors who had handled the conveyance of another nearby property. They informed me that a Plan Search would be undertaken by them as a matter of course where there are open fields nearby. Naturally, I appreciate that there is no onus for each solicitor to adopt the same tactic but that solicitor's comments do reflect the position that legal matters addressed by legal professionals.

You referred to the Property Ombudsman. I would like to draw your attention to a statement on their website –

It will not be sufficient for you to merely make an unsupported allegation against an agent. The Ombudsman will need to be convinced that there is some reasonable substance behind any allegation. Any proof that you can provide will substantially help your case.

If the evidence provided by the agent disproves your allegation, the Ombudsman is unlikely to support your version of events.

<https://www.tpos.co.uk/consumers/faq#q10>

I do recognise that you remain disappointed by my findings and may wish to take matters further. The Property Ombudsman offers an independent arbitration service which is free for consumers who have been unable to resolve their differences with the agent.

As she will not review any file before the member agent's in-house complaints system has been exhausted, I confirm that this letter constitutes our final viewpoint and that no further correspondence will be entered into in respect of this matter. I am required to inform you that referral to the Ombudsman must be made within twelve months of this letter.

The Property Ombudsman's contact details are –

The Property Ombudsman
Milford House
43-55 Milford Street
Salisbury
Wiltshire
SP1 2BP

Telephone 01722 333 306
E-mail admin@tpos.co.uk
Website www.tpos.co.uk

I trust, however, that I have clarified our position.

Yours sincerely

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