

30/01/2019 9:41am

Good morning Mr Jones

I am writing to advise that your case has been allocated to me to carry out the formal review and propose a decision on behalf of the Ombudsman.

I would like to take this opportunity to explain that the Ombudsman is not a regulator of the estate agency industry so we cannot make a determination as to whether there has been a legal breach of the Consumer Protection from Unfair Trading Regulations 2008. This can only be determined by a court.

I will, however, examine the issue raised and consider whether Reeds Rain have met their obligations to you under the TPO Code of Practice. An award of compensation may only be made where I am satisfied, based on the evidence provided, that Reeds Rains' action have caused you avoidable financial loss and/or unnecessary aggravation, distress or inconvenience.

I have read through the information submitted by both parties. I acknowledge your view that the conveyance of the Property does not excuse Reeds Rains' obligations to consumers, and I agree. However, in order to understand the complete picture of the transaction, I need to know whether you had any form of plan search carried out during the conveyance.

I would be grateful if you can advise me at your earliest opportunity. Once I am in receipt of this information, I will be in a position to complete the review.

Of course, if you have any queries, please do not hesitate to contact me directly at this time.

Kind regards

S.W.

Adjudicator