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Our ref: AQW 39395 22-27

From: The Minister

16 February 2026

Paula Bradshaw MLA
Northern Ireland Assembly
Parliament Buildings
Ballymiscaw
Stormont

Dear Paula,

AQW 39395/22-27 – INFORMATION TO BE PLACED IN THE ASSEMBLY LIBRARY

Due to the volume of detail required to answer AQW 39395/22-27, the information attached at Annex A has been placed in the Assembly Library.

Yours sincerely,



**Gordon Lyons MLA
Minister for Communities**

- (i) No single Department holds overall responsibility for consumer protections and quality standards for purchasers of new-build homes.
- (ii) (a) The Defective Premises Act (Northern Ireland) was enacted in 2024 by my Department to improve protections for homeowners and tenants where dwellings are defective, unsafe, or uninhabitable.

(b) The Department of Finance has policy and legislation responsibility for the Building Regulations. Building Regulations set requirements and minimum standards for building that, in the opinion of the Department, can reasonably be attained.

They currently comprise 16 'Parts', each covering a specific subject area. Under Part B 'Materials and workmanship' of the Building Regulations, materials used in any relevant building work are required to be suitable and fit for the purpose in which they are used.

District council building control departments are responsible for enforcement of the Building Regulations in their district, but the regulatory system cannot guarantee the building work.

The regulation of construction products and their placing on the market is a reserved matter regulated for by the Office for Product

Safety and Standards (OPSS) in the Department for Business and Trade.

The Department for the Economy's Trading Standards Service has local enforcement responsibilities for consumer protection under the Estate Agents Act 1979 and the Digital Markets, Competition and Consumers Act 2024 (DMCCA); however, neither of these Acts deals with quality standards.

The Estate Agents Act 1979 (EAA79) aims to ensure that estate agents act in the best interests of their clients, and that both buyers and sellers are treated honestly, fairly, and promptly. The Act sets out the minimum standards of behaviour across the profession and specifically covers:

- Duties that estate agents owe to clients and third parties, such as the passing on of offers, handling money and giving details of charges and terms of business.
- Providing information to clients, declaring a personal interest in a transaction, handling negotiations (including which records must be kept of offers received).
- Handling clients' money, insurance that must be taken out to cover liabilities arising out of estate agency business.
- Primary enforcement of the EAA79 is handled by the [National Trading Standards Estate and Letting Agency Team \(NTSEAT\)](#).
- If an agent is deemed "unfit" (due to breaking the law, fraud, or unfair practices), the NTSEAT can issue a formal warning or a prohibition order, which bans them from practicing.

The DMCCA prohibits traders, including estate agents, builders and property developers, from providing false or misleading information to consumers, omitting material information, engaging in aggressive practices or breaching the requirements of professional diligence. The Trading Standards Service is responsible for enforcing the DMCCA here.

Enforcement and investigatory powers for the Estate Agents Act 1979 and the DMCCA are contained in Schedule 5 of the Consumer Rights Act 2015 which provides a unified set of powers for enforcers (such as Trading Standards) to investigate breaches of consumer law, including unfair trading and misdescriptions. TSS has the power to enter premises, inspect and secure or seize material that might be required in evidence.

You may also wish to note the New Homes Ombudsman Service (NHOS) which operates across the UK and was established in 2022 as part of the enactment of the Building Safety Act 2022. The NHOS is overseen by the New Homes Quality Board (NHQB) which is not a public body, but an independent non-profit organisation dedicated to improving the quality of new build private homes and customer service provided by private housing developers, through adherence to the New Homes Quality Code (NHQC). Registration with the NHQB is currently voluntary across the UK.

The NHOS provides a free, independent service to help customers resolve issues with new build private homes which

the Registered Developer has been unable or unwilling to fix. This can include issues or defects that have arisen at or after occupation and which are not major defects during the first two years of a new home purchase.

It should also be noted that most new homes are covered by a 10-year warranty which is often a requirement for mortgage lenders. These warranty providers have their own technical standards that builders must adhere to, in addition to Building Regulations.