

The complaint

Mr S is unhappy with the quality of a car financed using a conditional sale agreement from Volvo Car Financial Services UK Limited.

What happened

In January 2024 Mr S entered into a conditional sale agreement with Volvo for a brand new car. The cash price was £38,564.

Shortly after acquiring it, Mr S noticed a noise when breaking which kept reoccurring. It went into the dealership three times for investigations. Mr S was then told that the noise was a characteristic of the car.

Mr S doesn't agree and believes the noise is a fault. He complained to Volvo who said that because the noise was a characteristic of the car and didn't affect the performance or functionality there wasn't anything further they could do.

Dissatisfied that Volvo couldn't resolve things for him, Mr S brought his complaint to our service. One of our investigators looked into the case and said they didn't think there was enough evidence to say that there was a fault with the car. And because of this, they didn't think it was of unsatisfactory quality at the point of supply.

Unhappy with this response, Mr S asked for an Ombudsman to review his complaint, so it has been passed to me for a decision.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Mr S acquired his car using a conditional sale agreement and so The Consumer Rights Act 2015 ("CRA") is a relevant legislation for this complaint. The CRA sets out expectations and requirements around the quality of goods supplied. In summary, goods should be of satisfactory quality. Section 9 of the CRA says that goods are of satisfactory quality if they meet the standard that a reasonable person would consider satisfactory. When considering the quality of a car, the age, mileage and price are things that need to be taken into account.

The manufacturer of the car has said:

'...The noise is subtle, only occurs under specific conditions, and is characteristic of the engine and transmission combination... It does not indicate any malfunction and poses no risk to the driveline or other components. It should be regarded as a normal operational sound.'

As part of his case, Mr S supplied videos of the sound. The business has also sent videos. Unfortunately, I haven't been able to access the videos Mr S sent but he has confirmed the videos supplied by the business demonstrate a similar noise to what he's experiencing. Mr S has emphasised that the noise is not 'faint' or 'subtle' like Volvo describes but is loud and

can be heard above the engine and radio.

Mr S has also said that the manufacturer has tried to carry out software updates to minimise the occurrence of the noise, which suggests that it isn't a characteristic. He said the noise is loud and annoying and so he feels it means the car is of unsatisfactory quality.

I've carefully considered what Mr S has said. I've also reviewed videos of the noise and taken into account the manufacturer's comments.

I've then gone on to consider the standard set by the CRA. The CRA mentions things like safety, durability and appearance as reasons a car may be of satisfactory quality. I can appreciate Mr S's strength of feeling about the noise, but the test set out in the CRA is whether a 'reasonable person' would say the car was of unsatisfactory quality based on the parameters set out in the act.

After considering all of this, from what I've seen, I don't think it's been proven that Mr S has grounds to reject his car. This is because the noise, in the absence of any underlying issues, is not something I think makes the car of unsatisfactory quality as set out in the CRA.

And because of this, I don't think Volvo Car Financial Services UK Limited need to do anything further here.

My final decision

My final decision is that I don't uphold this complaint for the reasons set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 23 October 2025.

Ami Bains
Ombudsman