

The complaint

Miss S and Mr S complain that National House-Building Council (NHBC) unfairly declined a claim they made on their buildings warranty.

For ease of reading, throughout the decision, I'll only refer to Miss S throughout the decision.

What happened

Miss S has a buildings warranty with NHBC. She made a claim for what she considered a fault with the stairs in her home. She said they were squeaking and unable to support normal loads.

NHBC declined Miss S's claim. It said there was no evidence of damage or that the floor was unable to support a normal load.

Miss S wasn't happy with that answer and brought her complaint to the Financial Ombudsman Service. She said she didn't want to pull up the carpets on the stairs and thought NHBC should send someone round to assess the stairs for damage.

Our Investigator didn't think Miss S's complaint should be upheld. He thought NHBC was acting fairly, in line with the terms and conditions of the policy when declining the claim.

Miss S asked for an Ombudsman's decision. She said she's tried to get contractors to come and assess the damage, but they either don't want to work with NHBC or haven't responded to her queries.

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.

Having done so, I'm not upholding it. I'll explain why.

Miss S's policy with NHBC does cover her for damage to the stairs. Clearly stating under what's covered – *“Staircases, floor decking and screeds to the inside of the main structure, if they fail support normal loads”*.

But the policy says for a claim to be successful

- *“There must be physical damage to the home*
- *The damage must be caused by the builder's failure to build specific parts of the home listed under Section 3*
- *The cost of repair must be more than the Minimal Claim Value (MCV).”*

Here, NHBC has said there's no evidence of physical damage to the stairs. And I'm satisfied that's a reasonable stance based on the evidence I've seen. There's evidence the stairs are

squeaking and creaking, but this doesn't show physical damage, nor does it show the stairs aren't able to support a normal load.

It is at this stage for Miss S to show she has a valid claim, so she'd need to show there's physical damage – as it stands, she's not done that. I understand she thinks NHBC should come and assess her stairs, but at this stage, based on the evidence presented, that's not something it's required to do. Therefore I find NHBC's decline of her claim, fair, reasonable and in line with the terms of her policy.

I understand she's said to date no contractors have wanted to take on the work, but whatever the reasons those contractors gave, I can't hold NHBC accountable for those decisions. It's not responsible for what work a third party wants to take on or not.

My final decision

For the reasons set out above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss S and Mr S to accept or reject my decision before 26 February 2026.

Joe Thornley
Ombudsman