

Is This the Builder's Responsibility?

A plain-English guide to who fixes what in a new-build home.

When you report a defect, some builders reach for the same line: "that's a maintenance issue." Sometimes it's true. Often it isn't. This guide helps you tell the difference, so you can push back with confidence when something is genuinely the builder's job to fix.

How new-build cover usually works

Most new homes come with a warranty (for example NHBC Buildmark, or a similar provider). Typically:

- First 2 years — the 'defects' period: the builder is generally responsible for putting right faults caused by poor workmanship or materials, and the snags you report.
- Years 3 to 10 — structural cover: the warranty provider typically covers major structural problems, while smaller items become the homeowner's responsibility.

Exact terms vary by provider and by your contract, so always check your own warranty and handover documents — but the principle above is a good starting point.

Usually the builder's responsibility

- Poor workmanship or faulty materials — cracked tiles, bad plastering, gaps, misaligned units
- Leaks caused by poor installation (e.g. pipework or seals not fitted correctly)
- Doors and windows not fitted or sealed properly; faulty locks or hinges
- Boiler or heating faults arising from installation or commissioning
- Damp or water ingress caused by a build defect (not lifestyle condensation)
- Inadequate ventilation or extraction that wasn't provided as it should have been
- Significant cracking beyond normal shrinkage; anything structural
- Anything not built to specification, to building regulations, or not signed off
- Every snag identified at, or shortly after, handover

Usually down to you — maintenance & normal wear

- Routine upkeep: bleeding radiators, clearing gutters of leaves, re-sealing a bath after years
- Replacing worn washers, seals or filters after normal use over time
- Condensation and mould caused by lifestyle where ventilation IS adequate (open trickle vents, use extractors)
- Accidental damage caused after you moved in
- Fine hairline 'shrinkage' cracks from a home drying out — minor, and usually filled once in the defects period
- General decoration and gradual wear over the years

Pushing back on "it's just maintenance"

A maintenance issue develops gradually through normal use over years. A build defect is present from the start, recurs, or comes from poor workmanship or materials. If you noticed it early, or it keeps coming back, it is very unlikely to be 'lack of maintenance' — say so, in writing, and ask them to point to the specific maintenance you supposedly missed.

The grey areas

Damp vs condensation: lifestyle condensation can be yours — BUT only if the home was built with adequate ventilation and extraction. If vents or fans are missing, undersized or don't work, that's the builder's. Persistent damp, or water getting in, points to a build defect.

Settlement cracks: fine hairline cracks as a new home dries out are normal and usually filled once. Cracks that are wide, growing, diagonal, or around door and window frames can be structural — get them looked at and recorded.

■ What to do

- Report every defect in writing, dated, within your warranty period — never just a phone call
- Photograph everything with the date; note when you first spotted it
- Don't accept 'maintenance' as an answer without evidence — ask them to justify it
- If the builder ignores you or won't accept responsibility, escalate to your warranty provider or the New Homes Ombudsman
- Log it on Snag Scout so it's on the record and your timeline is captured

Builder blaming you? Get it on the record.

Log your defect free on Snag Scout — a dated, verified record your builder can't quietly ignore.

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This guide is general information to help you understand common situations. It is not legal advice and does not override your specific warranty terms or contract. If in doubt, refer to your warranty provider's documents or take professional advice.