



**Know your rights when asking a tradesman to carry out work for you.**  
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**1. Top tips when choosing a tradesman to work in your home:**

- Get a recommendation from family and friends
- Get references from tradesmen for previous jobs, either written or verbal. Visiting previous work sites to inspect work can also be useful.
- Get written quotes from two or three different tradesmen.
- Look for a trade association member, although be careful in respect of fraudulent ID cards. If in doubt, call the trade association and check your tradesman out.
- Ask your tradesman to provide a simple standard contract and work specification, including who is responsible for “making good” and clearing up after work, and setting out when payments will be due. This acts not only as a guide for the works to be done but is also proof of what has been promised, if the work is not carried out correctly or the specification.
- Ask if there will be any kind of guarantee.
- Avoid VAT free cash deals.
- Never pay for work in advance of it being carried out.
- Get certificates when required. For instance, it is a legal requirement that you get one for electrical or gas work.
- Never let anyone into your home without asking to see ID documents
- Special rules apply to contracts made in the home. It is usual, when making contracts with tradesmen for the agreement or contract to be made in your own home, and in that case special Consumer Contract Regulations apply where you are entitled to a “cooling off period” before being legally committed to go ahead with the work. From 13<sup>th</sup> June 2014 the time period for “cooling off” is 14 days.

**2. But what if it all goes wrong? What are your legal rights and what “evidence” is required?**

Your legal rights are set out in the Supply of Goods & Services Act 1982. This states that when work is carried out by a tradesman it should be done:-

- With reasonable care and skill
- In a reasonable time
- For a reasonable charge

So if it all goes wrong, your claim in law would be based upon one or all of the points above.

Some of the problems you may encounter include:-

- Work not satisfactory
- Work not done on time
- Unauthorised work

If you have to make a complaint or issue a claim in Court, the following evidence is helpful:

- Keep a file of all relevant documents e.g. the original advertisement (if applicable), the contract, and any written correspondence between you and the tradesman, including emails.
- Write down a statement of events in date and time order, and keep it updated.
- Make a note of who you have complained to and their role in the business.
- Where appropriate take photographs and videos.
- Where appropriate, you may want to get the opinion of another tradesman as to the standard of the work involved. If you've had to have remedial work done by another tradesman, ask for an itemised bill or better still, ask them to write a report for you, including the work they carried out and the reasons why it was necessary.

In summary, if it does come to making a complaint you should:-

- Collect the evidence outlined above.
- Act quickly.
- One bargaining tool you have as a consumer is withholding payment if you are not happy with the work. But if you do that, you should write to the tradesman setting out your complaint and the reasons why some or all of the payment is being withheld.
- Consider making a court claim yourself by starting a claim online at Her Majesty's Court Service, Money Claim Online (<https://www.moneyclaim.gov.uk/web/mcol/welcome>). However, a Court should be viewed as the last resort. Even if your claim is successful, there may be costs involved in enforcing a judgement and if the claim is more than £10,000.00, you should seriously consider taking professional legal advice.