

## **The complaint**

Mr and Mrs C complain about the way Ageas insurance Limited carried out repairs following a claim made under their home insurance policy for damage caused by an escape of water.

Any reference to Ageas also includes its agents.

## **What happened**

In late 2016 Mr and Mrs C's home suffered water damage. Ageas accepted a claim and carried out works to reinstate the property. This included taking out a kitchen island and reinstalling it.

Some time later, Mr and Mrs C had an unrelated problem with their dishwasher. When an engineer attended, he said a repair was difficult. He said one of the legs of the dishwasher had been broken, so it was difficult to remove from the kitchen island. He also found that the dishwasher had been attached to the kitchen island with a bracket to secure it, and this had caused a crack to the base of the island.

Mr and Mrs C complained to Ageas, they said the damage must have happened when the kitchen was reinstalled by it as part of the claim. They said the kitchen island was made of corian and couldn't be repaired. They wanted Ageas to pay for a new kitchen island, or said they'd accept a contribution of around £4,000; half of what it would cost for a replacement.

At the end of 2019, Ageas said it wouldn't agree to make an offer. It didn't accept it had caused the damage Mr and Mrs C described. It said the kitchen island wasn't in a great state prior to the reinstatement of the kitchen and the insurance contract isn't a maintenance contract. It said Mr and Mrs C would need to fund their own repairs.

Unhappy with Ageas' response, Mr and Mrs C brought the complaint to our service.

Our investigator thought it was most likely, on balance, that Ageas had caused the damage to the kitchen island. But she thought it wouldn't be reasonable to ask Ageas to replace the entire kitchen island as a result of a small crack. She noted the age of the kitchen island and its pre-claim condition and thought a fair and reasonable outcome would be for Ageas to pay a contribution of £200 for causing the small area of damage.

Ageas accepted to pay the compensation but still didn't agree it was liable for the damage. Mr and Mrs C didn't accept the outcome. They said they'd accept £2,000 to resolve matters.

As the complaint hasn't been resolved, it's come to me to decide.

## **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.

Ageas doesn't accept that it's responsible for the repair carried out to the dishwasher and the resultant crack in the kitchen island. Mr and Mrs C say it can only have happened when Ageas was reinstating the kitchen. Where there is a dispute such as this, my role is to decide what I consider, on balance, is most likely to have happened.

Mr and Mrs C say the dishwasher was installed in 2016, the same year as the escape of water. They say it hadn't been repaired between being installed and Ageas carrying out works to the kitchen. So they say it can only have been the contractors who caused the damage meaning the dishwasher had to be secured to the kitchen island, which has caused a crack to it.

Ageas say the kitchen island wasn't new when it was removed and was showing signs of wear and tear. It says its contractors only used existing holes in the kitchen island to refit it. And if it had caused the damage during the course of the claim, it could have easily been included in the scope of works. So it doesn't accept it caused the damage Mr and Mrs C described.

From looking at the photographs, it seems to me that one of the legs had broken off the dishwasher, which meant it had to be propped up on a wooden plinth. It is that plinth that is then screwed into the kitchen island, probably for stability. Mr and Mrs C have said the dishwasher was relatively new when the claim was made, so I consider the leg was unlikely to have broken off during the original fitting of it. And there's no evidence it was disturbed between when it was installed and when the business removed it as part of the claim. So I think it's more likely this damage to the dishwasher leg happened during the claim.

If the dishwasher wasn't supported on the wooden plinth, I don't think there'd be a way (or reason to) secure the dishwasher to the kitchen island using the bracket that I can see in the photos. Which also lends me to think it's more likely that this work was done by Ageas as part of reinstating the kitchen. It looks like it's possible that the screw has been secured too tightly which has caused a small crack in the kitchen island.

I accept the kitchen island was showing other signs of wear and tear at the time, and it's possible that this drill hole, and crack, were there before the claim was made. But for the reasons given above, I don't think it's most likely. Ageas has said Mr and Mrs C were back in the property for around nine months before this was raised as an issue, but that doesn't persuade me the damage happened in those intervening months. Mr and Mrs C said the only reason they noticed was because they had an issue with the dishwasher and it needed a repair. And due to the way the island is constructed, with all of the appliances being integrated, it wasn't possible to see the crack before they needed to look at the dishwasher.

So having considered everything, I'm persuaded on balance that Ageas was responsible for causing the small crack in the kitchen island.

The more difficult bit is putting things right. I've seen a quote from Mr and Mrs C for a new kitchen island, although they've said they'll accept a £2,000 contribution for a new one. I don't think it's fair and reasonable to ask Ageas to pay such a large contribution, for a relatively small area of damage. I haven't seen anything which makes me think the island needs replacing due to this small crack. It seems to me that with the dishwasher in place, the crack wouldn't be visible (or if it is, not very noticeable) and if the leg of the dishwasher is now fixed it wouldn't seem necessary for it to remain secured to the island. So I don't think further damage would occur due to vibrations from the dishwasher, for example.

I've also taken into account that this damage was reported around 2018, and in the last three years, to my knowledge, the small crack hasn't caused any issues with the structural integrity of the kitchen island. So I'm satisfied that the damage is only aesthetic and not causing further issues to the island. For that reason I don't think Ageas needs to make a contribution to replace the island.

But I can see it has now agreed to pay £200. I consider this to be a fair and reasonable way to resolve matters. I think it would have caused some worry to see the dishwasher attached to the island in that way, and it probably caused inconvenience in having to sort this out when the washing machine was being repaired. So Ageas should pay £200 to resolve the complaint.

### **My final decision**

My final decision is that Ageas Insurance Limited needs to pay £200 to resolve this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C and Mrs C to accept or reject my decision before 16 March 2022.

Michelle Henderson  
**Ombudsman**