

The complaint

Ms R complains that her home insurer, esure Insurance Limited, delayed her claim and took too long over rectification work required because of damage caused by its contractors.

What happened

In November 2019 Ms R's home suffered damage from an escape of water in her downstairs bathroom and she claimed to esure. esure instructed its loss adjuster to report on the damage and dry the property and then instructed contractors to carry out the repairs.

Subsequently, esure re-laid Ms R's floor and needed to fix a unit and damaged paint work. Ms R said the work should've finished by May 2021, but esure's contractors damaged her kitchen cupboards, integrated appliances, blinds and granite work tops. She said her food has been spoilt because of damage to the seal of her fridge.

Ms R said when esure's contractors re-fitted the kitchen radiator the plumber dropped it and scratched the new floor, with further damage when her furniture was put back. She said cleaners have marked doors and stainless steel surfaces with chemicals. She said esure has offered to pay the cost of putting some things right but not the cost of fitting.

In May 2021 Ms R complained to esure about poor quality repairs and the damage caused by its contractors. She said the claim had gone on too long and affected her mental health, and she isn't sleeping. She said she couldn't live at home while repairs were awaited and in progress and feels she's had to project manage the claim as esure hasn't done as expected.

esure started the rectification work in January 2022 and paid Ms R for two weeks alternative accommodation. She said that afterwards her home still wasn't safe but esure refused to pay further. She offered to pay half the cost of new pipes as once one leak was fixed another was found. Esure said it wasn't liable for this cost but agreed to pay a half share.

esure responded to the complaint in September 2021 and offered Ms R £250 compensation for delays with her claim. Later on esure wrote a final response to Ms R's complaint in which it made no offer to meet further costs of alternative accommodation but did offer another £250 compensation. Ms R said the compensation should be £2,500 and later, £10,000.

Ms R was unhappy with esure's response and brought her complaint to our service. She said she was unhappy with the time the claim was taking and outstanding rectification work.

Our investigator recommended the complaint be upheld. He said esure caused substantial distress and inconvenience by the damage to Ms R's home and delays to rectification work. He said esure hadn't provided a timeline of work and completion dates and there's nothing to show delays were unavoidable and esure should pay Ms R a total of £2,500 compensation.

esure disagreed about the compensation and suggested a further payment of £500. Ms R rejected this as unreasonable and esure requested an ombudsman review the complaint.

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.

Ms R has made complaints about aspects of her claim, not all of which have been responded to by esure. I have only considered the events from when Ms R first made her claim in 2019, to September 2021 when esure sent her its final response letter. Ms R may bring a separate complaint to our service about events to do with her claim after this time. References here to esure include its agents for which it is responsible.

According to Ms R the history of her claim is one of delays and further damage caused by esure's agents. This is borne out by the claim records and the time taken to effect repairs. I've seen a list of outstanding repairs from a year ago which involved fitting furniture, removing marks and cleaning as well as replacement of damaged items.

It's not in dispute that the rectification work has taken far too long to complete, and I can see from the communications between the parties that Ms R has had to continually drive the work forward. There are many occasions where unexplained delays have occurred and no or poor responses from esure to her requests for information.

In one of her emails to esure Ms R said that problems had arisen from corners being cut with the work carried out, or there was insufficient supervision. For its part esure authorised costs for specialist joinery work and took expert advice about repairs.

I can see that this was a difficult and complex claim to resolve, not least because of a second leak and the need for repairs to await the repair of the wooden floor. But notwithstanding this I think esure should have progressed the claim much more quickly and kept closer management of its various agents.

Ms R has described to us the huge impact the delays in her claim have had upon her. This includes being away from her home, not being able to live normally at home for an extended period. Ms R has also told us that she is taking special medication to manage her stress.

esure made a counter offer of compensation but hasn't said why it thinks the sum recommended by the investigator was unfair and it hasn't provided important information about the timeline and delays with the claim requested by the investigator. As far as we are aware the rectification works are still ongoing, and this may be the subject to Ms R's further complaint.

I cannot say for certain when Ms R's home was habitable for her to return but I can see she felt strongly that it wasn't after the two weeks repairs and stayed away. esure hasn't paid anything further for Ms R's costs away from home and I haven't seen evidence that this was unreasonable according to the policy definition of uninhabitable. Nevertheless I have taken account of the disturbance she suffered as part of my award of compensation.

I think that the compensation put forward by the investigator is a fair reflection of the stress and inconvenience Ms R has been caused and so I am awarding this sum in my final decision.

My final decision

For the reasons I have given above it is my final decision that the complaint is upheld. I require esure Insurance Limited to pay Ms R a total of £2,500 compensation for the substantial distress and inconvenience she has been caused during her claim up to September 2021. esure may deduct from this any compensation it has already paid Ms R.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms R to accept or reject my decision before 5 September 2022.

Andrew Fraser
Ombudsman