

The complaint

Mr S complains about Accelerant Insurance Limited's (Accelerant) delay in completing repairs to his home and the handling of his claim, under his home insurance policy.

What happened

The flat above Mr S had an escape of water and this caused damage to Mr S' property. He contacted Accelerant and made a claim. Mr S has complained about the handling of his claim. He said that there were delays, a number of occasions when he had to chase Accelerant, poor workmanship, and that the contractors whom Accelerant sent damaged some of his possessions.

In Mid-2021, Mr S initially complained to Accelerant about the handling of his claim as well as the delay. It sent the first final response on 22 July 2021. From that date Mr S had six months to refer his complaint to our service. But he didn't refer this part of the complaint in time and so I'm unable to look at any issues that occurred before the date of the first final response from Accelerant.

But since then, Mr S complained to Accelerant saying that it had damaged a shower tray, chairs and had left a plant outside causing it to die. He also said that he couldn't use a bedroom for an extended period. In its second final response, Accelerant accepted that its level of service had been poor and apologised. It said that it would carry out an inspection of the damaged shower tray. And confirmed that it was in the process of making a payment of £1,716.76 for the damaged chairs and plant, which would bring this part of the complaint, to a satisfactory conclusion. For the trouble and upset and frustration caused, it offered Mr S compensation of £50.

Mr S was given his referral rights and referred a complaint to our service as he remained unhappy. One of our investigators considered the complaint and thought it should be upheld. She said that Accelerant ought to increase its offer of compensation from £50 to £150, as this was a fairer reflection of the errors during the claim. Namely, the unnecessary distress and that Mr S had to chase. She explained that the policy that Mr S had, would only pay for alternative accommodation where his property was uninhabitable and as it wasn't the case here, she didn't recommend that Accelerant should pay extra compensation for this. Finally, she said that Accelerant ought to inspect the shower tray as soon as possible, as it had previously proposed to do this.

Accelerant accepted the view, Mr S did not. He felt that the £150 compensation didn't adequately reflect the impact on him, and his family and he asked for a decision from an ombudsman.

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 will uphold this complaint, for much the same reasons as our investigator. I understand that this is likely to be a disappointment to Mr S, but I will explain why I think this is fair.

From the outset I should make it clear that the events that I can't deal with are issues that occurred before the date of the first final response, which was 22 July 2021, as these were brought out of time to our service. Consequently, the issues that are being complained of in March 2022, relate to the final response letter from Accelerant in May 2022. These relate to Mr S having to chase Accelerant about the damage to the chairs, plant, and shower tray.

Accelerant following our investigators review, has accepted the recommended compensation of £150. Mr S feels that this in no way adequately compensates him for the level of inconvenience caused during the claims process. So, I've had a look into this.

Accelerant has accepted that the level of service was far below its usual standards and has apologised for the trouble and upset caused. I understand that it has now satisfactorily settled the damages caused to the plant and chairs, having paid Mr S £1,716.76 for those. Which I think is fair.

From September 2021 until March 2022, I can see that Mr S contacted Accelerant several times to chase them about the damaged chairs, plant, and shower tray. And on 29 March 2022, Accelerant discussed the proposed settlement of the plant and chairs, as well as indicating that an inspection of the shower tray would take place.

There was a delay in Accelerant issuing payment for the chair and plant. And seemingly a delay for the inspection of the shower tray. Accelerant has now confirmed that the tray was due to be inspected on 6 January 2023. It seems that Mr S couldn't accommodate the inspection and it has now been rescheduled towards the end of January. I'm satisfied that despite the delay, the shower tray will be inspected, and I would hope that this can also be satisfactorily settled.

I'm satisfied that Mr S had to chase Accelerant for updates during this part of the claim, which I think added to his overall frustration. And I think that the delay in issuing the payment for the damaged chair and plant and carrying out the inspection of the shower tray caused unnecessary trouble and upset to Mr S.

I also note that it has been suggested that the shower could still be used (despite the damaged tray), which I have also considered.

I take into consideration that Mr S had to chase Accelerant and I'm satisfied that he took a reasonable amount of effort to sort matters out. Which, I think resulted in the impact of this lasting a few weeks. Equally, I note that Accelerant apologised for the poor service, but I don't think an apology is enough. Nor do I think that the £50 it originally offered was fair.

I must also say any claim of this nature, is going to involve a homeowner in some inconvenience. And I know that Mr S was deeply unimpressed with how Accelerant handled his claim. I also know that he was hoping for more compensation for the trouble and upset caused. But I've taken all of his detailed comments into account in reaching my decision and when assessing the impact on him, I think this caused distress and inconvenience and needed some effort to sort out. Consequently, I think an award of £150 is fair and reasonable. So, I won't be directing Accelerant to increase the compensation further.

Putting things right

To put matters right, I direct Accelerant as below.

My final decision

For the reasons given, I uphold Mr S' complaint.

To put matters right, Accelerant Insurance Limited to:

Pay Mr S £150 compensation for the trouble and upset caused.

Accelerant Insurance Limited must pay the amount within 28 days of the date on which we tell it Mr S accepts my final decision. If it pays later than this, it must also pay interest on the amount from the date of my final decision to the date of payment at 8% a year simple.

If Accelerant Insurance Limited considers that it's required by HM Revenue & Customs to deduct income tax from that interest, it should tell Mr S how much it's taken off. It should also give Mr S a certificate showing this if he asks for one, so he can reclaim the tax from HM Revenue & Customs if appropriate.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 17 February 2023.

Ayisha Savage
Ombudsman