

The complaint

Miss K complains about Aviva Insurance Limited's handling of her Buildings Insurance claim.

All references to Aviva also include its appointed agents.

What happened

The details of this complaint are well known to both parties, so I won't repeat them again here. Instead, I'll focus on giving my reasons for my decision.

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 agree with the conclusions reached by the investigator for these reasons:

- Aviva concluded the damage was minor and wasn't subsidence related. Its report says the property has suffered from thermal movement and also references moisture movement from hot summer months. Photos of the property and the cracking have been provided. But there's no reference or detail of what inspections or testing Aviva carried out at the property.
- Miss K said a possible cause of the damage is standing water under her property. As this has been brought to Aviva's attention, I'd expect it to address this in its investigation and I've not seen sufficient evidence it has done so.
- Overall, I'm not persuaded Aviva has conducted sufficient investigations to reasonably decline the claim.

So for these reasons, I uphold this complaint.

Putting things right

Aviva should re-examine the subsidence claim under the terms and conditions of the policy and carry out further investigations to establish the cause of damage at the property.

My final decision

My final decision is that I uphold Miss K's complaint.

To put things right, I direct Aviva Insurance Limited to do as I've set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss K to accept or reject my decision before 28 February 2023.

Michael Baronti
Ombudsman