

## The complaint

Mr A has complained that British Gas hasn't done enough to repair damage he says was caused by an error when an engineer attended to repair his boiler.

Mr A sought assistance under a home care policy.

## What happened

In July 2022 Mr A reported to British Gas that he had no hot water, so it arranged for an engineer to attend. Later the same day Mr A found water had leaked from the boiler onto the floor of his basement. He called British Gas and an engineer attended that evening and repaired the leak.

Mr A said the leak had caused extensive damage. To put things right, he wanted British Gas to damp proof the basement.

But British Gas didn't agree. It accepted the engineer had caused a leak in the basement. But it said the basement had pre-existing damp damage which it wasn't responsible for. For the inconvenience it had caused by its engineer's error, it paid Mr A £70 compensation. British Gas increased this sum to £100.

Our Investigator thought British Gas had properly considered Mr A's concerns and the compensation it had paid was fair for the inconvenience caused.

Mr A didn't agree. So the case has been passed 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.

There's no dispute that due to an error by an engineer, water leaked into the basement of Mr A's home. This was repaired on the same day.

In response to Mr A's complaint, British Gas arranged for an assessor to visit and inspect the damage. The assessor reported the following:

*"Visited the above address in relation to the damage caused from a leak from the boiler onto the basement floor. The customer explained around a month ago the boiler was leaking causing water to go onto his concrete floor of the basement on inspection the basement looks like it suffers from damp issues already, the walls were flaking where the salts were coming through.*

*The floor itself looked fine as it has dried out but I imagine it would've read high due to it being in the basement anyway."*

*"I explained that this is not British Gas's liability and with crossflow ventilation of both windows in the basement being open this would adequately dry out the water that came from the boiler. There were no remaining damp spots noted following the leak."*

British Gas said it was for Mr A to provide evidence to show the leak from the boiler had caused the damage he claimed. Alternatively it said Mr A might be able to make a claim under his home insurance policy. However if - as British Gas says - the damp was pre-existing, Mr A's home insurance policy will not cover pre-existing issues - only sudden unforeseen insured events.

Mr A told us he had other complaints about British Gas. He said he complained that shoes and carpet had been damaged by the leaking water. British Gas' notes show Mr A raised this with it in a call on 8 September 2022. The agent asked Mr A if he brought this to the attention of the assessor. Notes say it wasn't clear from Mr A's reply, but Mr A told the agent that these items were now dry. So the agent said as there was no damage it wouldn't consider the issue further.

Mr A said he had to pay an excess of £40, so in real terms the compensation is worth £60. And he told us that the assessor offered a dehumidifier but this didn't materialise.

Our Investigator explained that if Mr A is unhappy with the excess he paid and not being offered a dehumidifier, he will need to raise these issues with British Gas first to give it an opportunity to investigate and reply before we can consider. Mr A said he has now done this.

I think British Gas properly considered his complaint and on inspection of the basement, didn't agree there was ongoing damage caused by the leak. It gave Mr A the option to obtain an independent report and if this showed British Gas was responsible for damage, it would reconsider. I think this was a reasonable approach for British Gas to take.

I haven't seen any evidence from Mr A to show British Gas caused damage to his basement as a result of the leak in July 2022. So I think the compensation British Gas paid to Mr A of £100 for the inconvenience caused by the leaking water was reasonable.

Mr A is unhappy with the way British Gas handled his complaint. The Financial Conduct Authority say we can deal with complaints about regulated activities. As the Investigator explained, complaints handling isn't a regulated activity and so this service isn't able to consider Mr A's dissatisfaction about this. I can see that British Gas sent Mr A updates about his complaint.

Mr A asked to speak to me about his complaint before I issued my decision. In light of the information he has provided, I don't think it is necessary. I believe I've been provided with sufficient information from both parties to fairly decide the outcome of this complaint.

I understand Mr A will be disappointed with my decision. But this means I'm not asking British Gas to do any more.

### **My final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 20 March 2023.

Geraldine Newbold  
**Ombudsman**