

The complaint

Mrs S has complained about how British Gas Insurance Limited (British Gas) dealt with a claim under a home emergency policy.

What happened

A family member who lived in a property owned by Mrs S contacted British Gas when she smelled sewage in the bathroom. British Gas visited a few times over the following months. The engineer couldn't find an issue and said the problem was probably due to condensation. British Gas visited again when water was found on the floor. The engineer found that rats had chewed through the flexi pan connector, which he replaced.

Mrs S complained to British Gas because she said the issue should have been found during one of the earlier visits and the bathroom had been damaged because it failed to do so. When British Gas responded, it said it had investigated the possible causes and there couldn't have been a leak until the water was noticed on the floor. It didn't think it had missed any leaks and had found excessive condensation in the bathroom. It offered £200 compensation as a gesture of good will.

When Mrs S complained to this service, our investigator didn't uphold it. He said there wasn't sufficient evidence to show the damage was caused by British Gas and he thought it was more likely than not that it was due to condensation.

As Mrs S didn't agree, the complaint was referred to me.

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 don't uphold this complaint. I will explain why.

British Gas sent an engineer on multiple occasions. I'm aware Mrs S's family member has said it was the same engineer who visited and that she thought he showed little interest in finding the issue. The engineer thought any issues were due to excessive condensation. It was only when a different engineer visited that a damaged pan connector was found.

When British Gas investigated, it noted that the pan connector was on the underside, rather than the top. It said that, due to the volume of water used in each flush, if the damage had been there for longer, water would have appeared on the floor much earlier. It said the excessive condensation in the bathroom was the cause. It said a mat had also been wet and damaged the floor. I've also seen the photos British Gas took when it investigated whether it was responsible for the damage, which were taken a few months after the damaged connector was replaced. These showed the damage and that condensation still seemed to be present in the bathroom.

Mrs S has also provided a plumber's report. This said the plumber had cut the floor lino and found it was very wet underneath. He thought the floor damage was caused by wastewater that had got under the lino, rather than the mat causing the damage. He thought previous issues with the waste pipe had been the source of the damage. He also found that the flush pipe from the cistern had a small drip after three to four flushes. It was unknown how long this had been dripping, but that he would like to think an experienced plumber would have located it and fixed it if it had been there for a while. He said there wasn't any evidence of condensation on the cistern and there was adequate ventilation in the bathroom, despite there being no window, with an extractor fan and the door being left open after the bathroom had been used.

Looking at the evidence, I'm not persuaded it showed British Gas was responsible for the damage to the bathroom. British Gas found condensation in the bathroom during its engineer visits and when it visited following the complaint. Although Mrs S's plumber didn't find condensation, this was several months after the problem had been fixed and at a different time of year. It also doesn't explain why, if the damage was to the underside of the pan connector, it was unreasonable for British Gas to say water would have appeared on the bathroom floor sooner if that had been the issue during previous visits.

In terms of the drip Mrs S's plumber found, I don't think I can fairly say this was likely to be the cause of the damage. Three people from British Gas investigated the source of the leak and none of them found this issue. I'm aware Mrs S doesn't think the first engineer did enough to find the source of the issue, including that he didn't lift the shelf in a cupboard to see if water was pooling underneath. But I haven't seen anything that causes me to think he would more likely than not have found water there even if he had done so. This is because I don't think the evidence shows the leak from the pan connector that was later found was likely to have been there during the earlier visits or that it was unreasonable for the first engineer to think condensation was the source of the issue.

So, having thought about all of the above, I don't uphold this complaint or require British Gas to do anything further.

My final decision

For the reasons I have given, it is my final decision that this complaint is not upheld.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs S to accept or reject my decision before 23 October 2023.

Louise O'Sullivan
Ombudsman