

The complaint

Mr G complains about how Ageas Insurance Limited handled a claim for subsidence on the home insurance policy for his property.

What happened

Mr G owns a property that is covered by a group home insurance policy, underwritten by Ageas.

In August 2020 a claim was made by the property manager of the building after cracks started to appear. Ageas accepted the claim and identified the cause of the subsidence to be a nearby tree that was owned by a third party organisation, that I'll refer to as 'T'. Ageas approached T to ask it to remove the tree, however it wanted more information to show that this was the cause of the issues.

Over the months that followed very little progress was made with T. Ageas instructed the removal of other trees in the area but this didn't stabilise the building.

In February 2023 Ageas decided to instruct solicitors in order to get T to remove the tree. However Mr M was unhappy with how the claim had progressed up until this point. He said the cracks to his property had been worsening and he had to wait a long time with hardly any updates about how the claim was progressing from Ageas. He made a complaint.

In response, Ageas accepted it could have moved the claim on more promptly and upheld the complaint. However it didn't offer any compensation. Mr G didn't think this was fair and brought his complaint to this service.

Our investigator didn't recommend the complaint be upheld. He said he thought Ageas had taken reasonable steps to try and get T to remove the tree and as these hadn't worked, it was now the right thing for it to instruct solicitors.

Mr G didn't agree, and asked for the complaint to be reviewed by an ombudsman.

My provisional decision

When the complaint came to me, I didn't agree with our investigator's outcome. I wrote to each side to explain my provisional decision.

I said I thought Ageas could have done more to move the claim forward more promptly. Particularly after August 2022, when T stopped responding to correspondence about the tree.

I said it was unclear why action hadn't been taken sooner to instruct solicitors after this date, or in the months before when it became clear that T was not cooperating. Instead Ageas took very little action and this had delayed a resolution for Mr G.

I noted the impact this had had on Mr G, as the damage to his property had been worsening and he had no clear idea of what the timescale would be for the tree removal and claim

progression. And Ageas had done little in order to keep him updated.

I also said that in its final response, Ageas had accepted that it could have moved the claim along more promptly. But it didn't offer any action to put things right. Considering the impact the matter had on Mr G I thought it should pay £300 compensation to apologise for the delay.

I also said that considering the time that has already elapsed since the claim was raised, I now expect Ageas to take prompt action to reach a resolution on the claim. And, should court proceedings be lengthy, consider other work that could be done if tree removal isn't successful or takes an unreasonable amount of time to secure.

Response to my provisional decision

Both Ageas and Mr G responded to my provisional decision and accepted my findings.

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.

As both sides have accepted the findings I laid out in my provisional decision, I see no reason to depart from this for the reasons already given. I therefore require Ageas to pay Mr G £300 compensation to apologise for the distress and inconvenience it has caused.

My final decision

For the reasons I've given, I uphold Mr G's complaint and direct Ageas Insurance Limited to pay him £300 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr G to accept or reject my decision before 19 October 2023.

Sophie Goodyear
Ombudsman