

The complaint

Mr R complained that Zurich Insurance Company Ltd (“Zurich”) unfairly declined his claim under his home insurance policy for a damaged boiler following an escape of water.

What happened

Mr R made a claim for damage caused by a leak. Following investigation, Zurich declined the claim relating to a boiler, as it didn’t find any evidence that demonstrated a leak had caused damage to it. In addition, Zurich presented recent evidence from an expert that showed it was likely the boiler would fail imminently due to been at end of life. Zurich did settle the claim in respect to other damage caused by the leak.

Mr R said his policy covers any damage caused by escape of water. He said a prior safety check of his boiler didn’t highlight any issues.

Zurich did compensate Mr R £250 for service issues relating to delays and poor communication.

Our investigator decided not to uphold the complaint. She thought based on the evidence presented that Zurich had been reasonable to decline the claim. Mr R disagreed, so the case has been referred to 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.

I have checked the policy and Mr R is correct that his policy does cover him for damage caused by escape of water. However, it’s important to note it’s the responsibility of Mr R to provide evidence to support any loss.

I appreciate Mr R has said he had a safety check done on his boiler before renting out his property and he’s said there weren’t any issues raised. However, as I haven’t seen any evidence that the escape of water caused the boiler to be damaged, I don’t uphold this complaint.

In addition, I find information Zurich has provided from an expert to be persuasive which sets out it was likely the boiler would fail in the short-term.

The independent expert’s report states:

“I attended the above property in regards to the stated complaint of a noisy boiler. I found that the boiler is being operated with no water within the boiler operating system due to two radiators pipe-work no longer being connected.

After repairing the water leak & re-charging the system, some noise was still audible. This fact has a detrimental effect on the boiler and the noise that now emanates from the boiler,

to me indicates that remedial action now has to be engaged for the boiler is now operating on borrowed time in regards to a complete breakdown”.

As I don't have evidence the escape of water caused damage to the boiler and other evidence suggests the boiler was likely to breakdown in the short-term, I don't uphold this complaint.

My final decision

My final decision is that I don't uphold this complaint. I don't require Zurich Insurance Company Ltd to do anymore.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 3 September 2024.

Pete Averill
Ombudsman