

## **The complaint**

Mr B complains about the way Domestic & General Insurance Plc ("D&G") dealt with a claim on his household warranty.

## **What happened**

Mr B took out a policy with D&G that provided cover for his oven in the event of breakdown and accidental damage.

When he made a claim D&G initially tried to arrange a repair, but then decided to provide a replacement.

Mr B wanted a certain brand but was told this wasn't possible so chose another type of oven. D&G arranged for this to be provided and installed in Mr B's kitchen.

Mr B complained that the oven didn't fit properly. He said it was not secured and there was a gap between the oven and the cabinet where it was installed. He said it needed to be refitted. In response to the complaint, D&G said

- the oven was delivered in line with the policy
- it doesn't cover installation or disposal and was not responsible for any issues with the fitting, but had offered to waive the installation and disposal costs
- there were some missed calls and it paid some compensation for this.

Mr B remained unhappy and referred the complaint to this Service. He said D&G should be responsible for the installation and the oven had not been fitted correctly.

D&G said Mr B had initially complained about delays with the repair and it had paid some compensation for that. It agreed to provide a new oven but wasn't responsible for installation or related costs, and the issue was with the kitchen cabinet.

Our investigator's initial view was that it wasn't fair for D&G to say it wasn't responsible for the installation, and in view of the problems it should reinstall the oven and pay some further compensation.

D&G disagreed. It provided further evidence, including a call with the manufacturer of the oven confirming their installers don't drill new holes – they simply fit ovens with the existing fittings, and the issue is with the cabinet, not the oven or the installation.

After reviewing the further information, the investigator did not think the complaint should be upheld. She said the evidence didn't show the installer drilled new holes or made the existing holes bigger. D&G provided the oven, which was installed, and it's not responsible for any further issues.

Mr B disagrees and has requested an ombudsman's decision. He says:

- no-one knows for certain what happened with the installation, but the onus is on the installer to ensure it is safe and the installation is not safe;
- if the installer used the existing holes, he should have realised the oven would not be secure and so was not safe;
- the installer should have said if there was an issue with the holes.

### **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.

The relevant industry rules and guidance say insurers must deal with claims promptly and fairly. They should support their customers in making use of their policy and settle claims promptly once settlement terms are agreed.

The policy provides cover for breakdown and accidental damage. If a repair is not possible, D&G will arrange for a replacement of the same or a similar make and technical specification, which is what happened here.

It wasn't possible to install Mr B's original choice of oven and there was no fault by D&G in relation to this. The issue is whether the oven that was provided was fitted correctly and, if not, whether D&G is responsible for that.

The policy terms are clear that the policyholder is responsible for installing the new appliance and paying any related costs. So the starting point is that D&G is not responsible for the installation. What it needs to do is arrange for the replacement of the oven and it did that.

I've considered whether, in spite of what the policy terms say, it would be fair to hold D&G responsible for the installation but I don't think it would be.

I appreciate there is a problem with the installation. Mr B says the installer removed the old fittings and installed the new oven with smaller screws in the existing holes. And he says the installer should have realised the fit wasn't good and used rawl-plugs or filler in the holes.

I've listened to a call with the manufacturer where it's confirmed that their installers don't drill holes or carry out any alterations. They simply fit the oven using the existing fittings. The evidence indicates the existing holes were too big for the screws on the new oven. That's a pre-existing issue with the cabinet. A kitchen fitter would be needed to deal with this. When Mr B complained about the fitting, the installers inspected the oven and explained that he would need to get a professional to make adjustments to the kitchen cabinet.

The installer could perhaps have explained this to Mr B at the time. But if they had done so, he would still have been in the same position that he needed to get a kitchen fitter to deal with this. He was told that soon after. So he's in the same position he would have been in.

In any event, D&G is not responsible for the installation. By arranging for a replacement to be provided, it has carried out the insurance contract. Mr B has a replacement oven which is working. I appreciate it's frustrating for him that there is an issue with the fitting but that's not something D&G is responsible for.

### **My final decision**

My decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 4 October 2024.

Peter Whiteley  
**Ombudsman**