

## **The complaint**

Miss R complains that British Gas Insurance Limited caused a leak with her boiler, which damaged her home.

## **What happened**

During an annual service appointment, British Gas condemned Miss R's boiler as unsafe and capped off the gas supply feed. A week later, Miss R reported a wet patch on the ceiling directly below the boiler. She says British Gas's engineer caused the boiler leak and so it should cover the damage. She also complained that a heater provided to her by British Gas produced smoke and a burning smell which was distressing for her and her child.

British Gas sent another engineer out to inspect the boiler, but they said it was dry. Based on this, British Gas denies that its engineer caused the leak. It has suggested that the leak could be from the bath, rather than the boiler, or the result of a faulty component of the boiler, which was old and required replacing. But it apologised for the heater issue and offered £50 compensation.

An investigator here considered the complaint and thought it should be upheld. He said the location and timing of the damage persuaded him that the works carried out by the engineer most likely caused the leak and damage. He said British Gas should cover the damage and pay a total of £150 compensation for the impact of the unfair decision and the heater issue.

British Gas didn't agree with our investigator's assessment. So, because no agreement has been reached, the complaint 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.

Having done so, I agree with the conclusions reached by the investigator. I'll explain why.

There is no evidence to suggest there was an ongoing or pre-existing leak, either from the boiler or elsewhere, prior to British Gas capping off the boiler. Had there been evidence of such a leak, I think it's likely the engineer's notes would have reflected this.

British Gas has suggested the leak could have come from somewhere other than the boiler and has suggested the bath as an option. It says the boiler was dry when it was inspected following reporting of the leak. But I haven't been provided with any evidence to support the theory that the bath was the source of the leak. I also note the floor directly beneath the boiler was wet when inspected, which is why the engineer left absorbent towels. This suggests to me the boiler, not the bath, was most likely the source of the leak. I'm also mindful that Miss R says the property was vacant following the boiler being capped off, and so the bath wasn't being used. Taking all this into account, I'm not persuaded the bath is a more likely source of the leak than the boiler. I'm also not persuaded that the boiler being dry when inspected is evidence it hadn't previously leaked.

British Gas has provided comments from one of its engineers which explain that following the capping off, the cooling of the water within the system could have caused the leak, but only if there was a damaged or defective component of the system which the engineer would not have known about. It says it is not standard practice to drain down a system when capping a boiler, and so its engineer did nothing wrong. British Gas has also pointed to records of previous meetings where it had advised Miss R that she should consider replacing her boiler due to its age.

I've thought about this, but I'm not persuaded this argument sufficiently demonstrates there was a pre-existing component issue which is responsible for the leak. I accept the boiler was old, but as explained above, I've seen no evidence of any leak prior to the works carried out by the engineer. And given that the heating and cooling of water within the system would be a natural part of the boiler's use, I fail to see why the cooling of water following the capping would suddenly cause a leak that wasn't there previously. I've also not been provided with any evidence to show there was, in fact, a damaged or faulty component on Miss R's boiler or cylinder. Rather, British Gas has suggested potential alternative causes, without evidencing these were present, or related to the leak, despite having had the opportunity to inspect the boiler since the leak.

In complaints like this, where the evidence is incomplete or contradictory, I need to reach a finding on the balance of probabilities. That is, what do I think is more likely than not. And taking into account the timing and location of the damage, and the lack of anything to evidence a pre-existing leak (from anywhere) or faulty component with the boiler system, I think it's more likely than not that the leak was caused by something the engineer did or didn't do when capping off the boiler.

To put things right, I think British Gas needs to cover the cost of putting right the damage caused by the leak – subject to Miss R providing a quote for the repair costs. I also think British Gas should pay Miss R £150 compensation, for the distress and inconvenience she has suffered as a result of the leak, and its handling of matters since.

## **My final decision**

For the reasons I've explained above, I uphold Miss R's complaint.

British Gas Insurance Limited must:

- Cover the cost of putting right the damage caused by the leak – subject to Miss R providing a quote for the repair costs.
- Pay Miss R a total of £150 compensation for the avoidable distress and inconvenience it has caused her.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss R to accept or reject my decision before 20 September 2024.

Adam Golding  
**Ombudsman**