

The complaint

Ms P complains about AmTrust Specialty Limited (“Amtrust”)’s handling of her building guarantee claim.

All references to Amtrust also include its appointed agents.

What happened

What my complaint considers

My decision covers events from May 2024 up to Amtrust’s final response in October 2024. I’m aware Ms P has detailed about further issues that have happened since and raised a subsequent complaint, but I will only be providing a finding on matters relating to this complaint.

- Ms P made a claim due to leaks in her roof in May 2024.
- She said Amtrust have caused continuous delays throughout the claim process which has meant the matter has remained unresolved and the leaking in her property has got worse. This has resulted in further damage being caused including to items in the property. Ms P has said this caused her significant worry and has delayed her travelling abroad to be with a family member in poor health due to concerns about the property deteriorating further while she was away. She said she has incurred additional expense due to not being able to book travel arrangements earlier due to the delays with the claim.
- Ms P said the cause of the leak was finally identified in September 2024, and a temporary fix was recommended. However, at the point making a complaint to Amtrust the matter with the claim itself remained unresolved.
- Amtrust accepted it had caused avoidable delays throughout the timescale of this complaint. This included delays in investigating the damage, providing pricings for repairs and its contractors failing to reply to queries. It offered Ms P a total of £300 compensation for the distress and inconvenience its actions had caused.
- Amtrust have also acknowledged further damage has occurred to the property because of the delays and have agreed to include further damage caused by the leak in the claim.
- Ms P was dissatisfied with Amtrust’s response, so she brought her complaint to our service.

Our investigator’s view

Our investigator didn’t recommend the complaint be upheld. In reviewing matters, she felt Amtrust’s offer to put things right was fair.

She said Amtrust’s offer to include damage caused by the leak in its repairs as part of the claim was fair in putting things right regarding additional damage caused.

Regarding compensation, our investigator agreed there had been avoidable delays in investigating and accepting the claim – and that Amtrust's actions had caused Ms P distress and inconvenience. However, regarding Ms P's travel arrangements, our investigator said as this was likely an unexpected and pressing issue Ms P wouldn't have known about earlier so she didn't think it likely Ms P would have been able to make the savings on the cost of travel arrangements as she has suggested.

She felt the £300 compensation offered by Amtrust was fair in recognising the distress and inconvenience its actions have caused.

Ms P didn't agree with our investigator's view of the complaint and requested for an ombudsman to review matters.

She reiterated the issues she's experienced with the claim, both before and since the final response letter of October 2024.

She said her close family member becoming unwell in July 2024 was an unexpected and pressing issue that she needed to get to. She said she made this clear to Amtrust but it didn't attend the property until September 2024 despite her chasing it.

She said the lack of communication and updates meant she was unable to plan travel arrangements in advance and spoke about the affect everything that has happened had on her mental wellbeing.

She reiterated Amtrust's poor handling of the claim and didn't agree the compensation it offered was sufficient.

The complaint has now passed 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.

I understand Ms P feels strongly about what has happened. I'm sorry to hear of the issues her family member is experiencing – and I extend my natural sympathy to both them and Ms P.

In reviewing everything, I want to assure Ms P I've read and considered everything she's said carefully – including her comments following our investigator's view. However, my findings focus on what I consider to be the central issues, and not all the points raised.

This isn't meant as a discourtesy. The purpose of my decision isn't to address every single point the parties have raised or to answer every question asked. My role is to consider the evidence presented by Ms P and by Amtrust to reach what I think is a fair and reasonable decision based on the facts of the case.

Having done so, I do not uphold this complaint for these reasons:

- It's clear Amtrust have caused avoidable delays within the timeframe I'm considering for this complaint, and I can see Amtrust itself has acknowledged that it has caused avoidable delays. This has included delays in carrying out investigations, contractors failing to provide timely updates and costings needed to ensure the claim progressed.

- While this has been happening, Ms P has remained living in the property and has continued to experience further issues because of the leak. I can also see she has tried to chase matters and proactively ensure the claim progressed, but it didn't.
- In addition to what was already a stressful situation by nature, Ms P has had the added concern of her family member's health and the need to travel to be with them.
- Amtrust confirmed the damage caused by the leak will be repaired as part of the claim. This includes damage that has got worse due to the claim not progressing. This is what I would expect in the circumstances. I understand Ms P has raised further issues about the settlement Amtrust have offered, but this doesn't form part of this complaint, so I will not comment further on this here.
- I understand Ms P's frustration and concern that a lack of updates and a clear plan didn't allow her to plan travel arrangements in advance. Ms P has said becoming aware of her family members health issues was sudden and unexpected, so I'm not persuaded she could've planned prior. However, I do acknowledge the concern she would've had in getting to them as soon as possible. And the uncertainty the handling of the claim caused about exactly when she would be able to do so.
- I understand Ms P feels very strongly about what has happened and I appreciate why she considers our service should award further compensation. However, having reviewed everything available to me, the compensation Amtrust has offered here is in region of what I would direct in the circumstances. So, I think this fairly recognises the distress and inconvenience its actions caused Ms P in the timeframe of this complaint.

Putting things right

Amtrust should pay Ms P £300 compensation.

My final decision

My final decision is that I uphold Ms P's complaint and direct AmTrust Specialty Limited to do as I've set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms P to accept or reject my decision before 16 April 2025.

Michael Baronti
Ombudsman