

## **The complaint**

Mr and Mrs R complain about how HDI Global Specialty SE Ltd handled a claim they made on their home insurance policy for damage caused by subsidence.

Reference to HDI includes its agents.

## **What happened**

Mr and Mrs R held an insurance policy with HDI. When their property suffered damage caused by subsidence, they made a claim. The claim was accepted and ultimately, HDI agreed to repair all the damage to the property.

But Mr and Mrs R complain that the cause of the subsidence hasn't been addressed. They say work needs to be done on the drains and soakaways and that there's still water at their property. They're worried this will mean the repair carried out by HDI won't be lasting and effective and that they'll have further issues with subsidence going forward.

HDI disagreed, it said the cause of the subsidence was the shallow foundations and the washout of small particles due to the passage of groundwater. It says the work it's carried out addressed this and thinks its repairs will be lasting and effective. It acknowledged a small issue with the drains, but said that it wasn't its responsibility to sort this because the drains weren't all Mr and Mrs R's property or responsibility.

Our Investigator recommended Mr and Mrs R's complaint be upheld. They acknowledged the drainage wasn't all on Mr and Mrs R's property but thought the issues with it needed to be addressed to allow a lasting and effective repair to be carried out. They recommended HDI review the issues with the water and report as appropriate to the relevant authorities (responsible for the drainage). They also recommended HDI pay Mr and Mrs R £200 compensation for the delay caused by not addressing this issue earlier.

HDI disagreed with our Investigator and asked for the case to be reviewed by an Ombudsman. It maintains the issue with the drain is not related to the subsidence and therefore not something it's required to fix as part of this claim.

I wrote a provisional decision which said:

*"While I've considered everything I've been sent, in line with the informal role of our service, I'll not be commenting on every bit of evidence or argument raised. Instead, I'll comment on the issues I consider key to the dispute.*

*Here, the dispute is simple. Does HDI need to do more to address the cause of the subsidence in order to carry out a lasting and effective repair?*

*Mr and Mrs R think it does, they've pointed at areas of sitting water and issues with the drainage and soakaways. They feel that if the drainage is rerouted, they'll have less sitting water and therefore less chance of further subsidence issues.*

*HDI on the other hand doesn't think the drainage or soakaways are having any measurable*

*effect on the water Mr and Mrs R find around their property. HDI thinks this is due to the position of the house and the level of the water table in the area. It says the drains could be re-routed but doesn't think this will have any real effect. It says the soakaways are working fine but can't take any water away as they sit below the water table. I'm not an engineer, but it's explanation of this is detailed and reasonable.*

*HDI says the work it's carried out will be a lasting and effective repair, because it's taken into account the groundwater levels.*

*From everything I've seen, I'm more persuaded by HDI's stance here. It seems plausible from the evidence provided that any issue with the drains is not the likely cause of the subsidence, and therefore not something HDI needs to address as part of this claim. It's report into why this is the case is detailed. Much more so than anything I've seen attributing the drainage or soakaways to be the cause of the subsidence. I've not seen anything to counter what HDI is saying about the groundwater level or how doing any work on the drains will make a marked difference to this.*

*It follows that I don't intend to require HDI to carry out any further work relating to the cause of the subsidence on this claim to date. It also follows that I don't require it to pay any compensation."*

HDI acknowledged receipt of the decision but made no further comment on it.

Mr and Mrs R responded with further pictures and explanation of why they thought HDI needed to do more.

### **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'm not minded to depart from the findings and outcome set out in my provisional decision outlined above.

I appreciate Mr and Mrs R have sent in further evidence, but I'm not persuaded any of it shows HDI need to take further action. There may well be issues with the drains at others' properties. It may be that's contributing to the high water table. I've not been provided anything to show that's conclusively the case though. And, even if it were, I'm not persuaded that would be something HDI, as Mr and Mrs R's insurer would need to rectify because they sit off Mr and Mrs R's property and are the responsibility of another party.

Therefore my decision remains that HDI need take no further action in relation to this claim.

### **My final decision**

For the reasons set out above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R and Mrs R to accept or reject my decision before 6 June 2025.

Joe Thornley  
**Ombudsman**