

complaint

Mr H complains that British Gas Insurance Limited damaged his property when fixing a leak and several months later still haven't repaired the damage.

background

Mr H had a home emergency insurance policy with British Gas. In February 2018, Mr H had a leak so he called British Gas to locate and fix the leak. An engineer inspected Mr H's property and located the leak behind a wall. He told Mr H he would need to cut a hole in the wall to repair the leak and Mr H would need to arrange for the repair to the wall himself. Mr H was unhappy so he called British Gas as his policy said he was covered for up to £1,000 to access the leak and make good each repair.

British Gas agreed this was incorrect and the engineer should've given Mr H the information so he could arrange for British Gas to come back and repair the wall. So they raised a complaint for Mr H letting him know they'd come back to him in eight weeks. In April 2018, Mr H chased British Gas for an update as he still hadn't heard from them and the hole in his wall still hadn't been repaired. And when he didn't get a response he asked our service to look into his complaint.

Our investigator contacted British Gas who agreed Mr H hadn't received the service he would've expected from them. They agreed to repair the hole in Mr H's wall and offered him £100 compensation for the inconvenience caused. Mr H didn't think this was enough. He said he'd had to look at the hole for several months and the hole was so big it caused him significant embarrassment.

Our investigator thought the complaint should be upheld. She felt British Gas should've arranged for the repair as soon as Mr H made them aware of the hole – rather than logging a complaint. She felt that Mr H's policy clearly covered "making good" so there was no reason for a delay in completing the repair, and based on the size and location of the hole in Mr H's wall British Gas should pay him £400 compensation for the distress and inconvenience.

Mr H agreed but British Gas didn't. They felt the compensation amount was too high as Mr H hadn't been left without heating or hot water due the error – and were only prepared to offer £150 compensation. As an agreement couldn't be reached the case has been passed to me for a decision.

my findings

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've decided to uphold it for broadly the same reasons as the investigator.

Mr H has told us that he's unhappy British Gas left him with a hole in his wall after fixing a leak – and I understand why. I've seen that Mr H's policy said "*we'll pay up to £1,000 to gain access and make good for each repair*" and that the definition of access and making good includes "*filling in holes we have made and leaving a level surface*". So I don't think it was unreasonable for Mr H to expect British Gas to deliver the service he's paid for.

Mr H made British Gas aware on the same day the repair took place that their engineer hadn't done the job that he expected, and he gave them ample opportunity to rectify their

mistake. However, instead of arranging for the hole in Mr H's wall to be fixed British Gas simply raised a complaint and took no further action – despite repeated calls from Mr H for an update.

There's no dispute that Mr H was covered for both the repair and making good – and British Gas have confirmed this is the case. However they don't feel Mr H was caused significant inconvenience as the pipe repair was completed when it should've been. But I don't agree. From looking at Mr H's policy I think it would've been clear to the member of staff that took Mr H's call in February that he had cover for making good, so it should've been arranged at the same time as making the complaint.

I've also seen that even though the complaint was raised, British Gas didn't contact Mr H despite the chasers and didn't even mention making good the hole until this service contacted them. I've seen pictures of the hole in Mr H's wall and I can see that this is a significant size and I can understand why he's felt upset it hasn't been repaired. Mr H has also told us that the hole is in his home office and is extremely visible meaning he's also suffered embarrassment from it.

I recognise Mr H has been caused distress as he has a substantial hole in the wall of his home that he's not been able to disguise in anyway. And he's also made us aware he's been trying to sell his home during this time, so he's not been able to show his house in the way he wanted it to look for potential buyers. Mr H has also had the inconvenience of calling British Gas on numerous occasions for them to resolve a claim he was clearly covered for. So I feel that British Gas should pay him £400 compensation for the trouble and upset he's suffered.

my final decision

My final decision is that I uphold this complaint. I instruct British Gas Insurance Limited to do the following:

- Arrange for the repair of the hole in Mr H's wall within the next month;
- Pay Mr H £400 for the distress and inconvenience caused.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 26 April 2019.

Jenny Lomax
ombudsman