

complaint

Mr S complains that British Gas Insurance Limited caused damage while doing work under a home care policy.

background

Mr S complained that British Gas had loosened a pipe connection, causing water damage to the room below.

The adjudicator did not recommend that the complaint should be upheld. She did not conclude that British Gas caused the leak and damage.

Mr S disagrees with the adjudicator's opinion. He says, in summary, that British Gas must have caused the leak.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

I have seen the British Gas terms including the following:

"7.3 All other loss and damage

Unless we cause it, we will not be responsible for any loss or damage to property as a result of your appliance or system breaking or failing, including any cleaning needed or damage to fixtures or furniture (for example, damage caused by water leaks)".

A British Gas engineer carried out a boiler repair and an annual service.

Mr S later gave the adjudicator conflicting dates for what happened later. But British Gas kept records. So I place more weight on those records than on Mr S's recollection.

The records show that a couple of weeks passed before Mr S rang British Gas. And its note of his call says:

"low pressure on the boiler. cust has to top up."

There is no mention of a leak until the following day when British Gas made a note of another call as follows:

"UWL [uncontrollable water leak] ...Leaking from ceiling."

Mr S has provided a report which includes the following:

"The push fitting has been dislodged from its piping by movement of the boiler or movement of the pipework leading from the boiler, which is directly above the damage in question, during a maintenance service. It is obvious that even a slight shift to one side or even a tug of the pipework that leads from the boiler would have dislodged the push fitting causing a leak from the fitting. You can see some evidence in the photographs I have enclosed."

But a couple of weeks had passed between the annual service and the report of the leak. So I am not persuaded that British Gas had disturbed the push fitting - deliberately or accidentally - during the earlier repair and annual service.

I find it more likely that something else – such as a change in pressure – happened to cause the push fitting to leak a couple of weeks after the annual service.

my final decision

For the reasons I have explained, my final decision is that I do not uphold this complaint. I make no award against British Gas Insurance Limited.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr S to accept or reject my decision before 18 June 2015.

Christopher Gilbert
ombudsman