

## **complaint**

Mrs L complains about how British Gas Insurance Limited (BG) dealt with her Homecare insurance policy claim. My references to BG include its agents.

## **background**

Mrs L claimed on her Homecare policy with BG when she noticed signs of a leak in her hallway.

BG's engineer attended and said two leaks were coming from the sealant around the shower cubicle which was a wear and tear issue not covered by the policy.

Mrs L says BG's engineer recommended she replace the tiles, grouting and sealant. The work cost her about £1,300 through a private fitter. The leak causing the problem with the ceiling continued. She then made a claim on her home insurance with another insurer for trace and access and its engineer found leaks in the pipework behind the tiles. The damage was covered under the home insurance but Mrs L had to pay the excess. She complained to BG that its engineer misdiagnosed the leak.

BG said its engineer wouldn't have identified a leak behind the wall with such a substantial leak on the shower cubicle. Its engineer recommended the sealant be repaired but not that the area needed retiling. BG added that when the problem leak continued after the resealing Mrs L could have contacted it to give it the opportunity to repair the problem.

Mrs L complained to us. She said on reflection she thinks BG's engineer made leaks by positioning the shower so water flowed over sealant areas it wouldn't usually come into contact with rather than look for the real cause. She thinks BG's engineer should have run the shower into the toilet to check there was no issue with the sealant as the subsequent bathroom fitter did. She wants BG to pay the cost of the retiling work. She also wants compensation for her distress and inconvenience.

Our investigator thought BG had acted reasonably when assessing the cause of the leak and didn't need to make any payment to Mrs L.

Mrs L disagrees and wants an ombudsman's decision. She said at the very least BG should pay her the cost of her home insurance claim excess.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I don't uphold this complaint. I'll explain why.

BG's engineer's report shows two leaks came from the sealant around the shower. I've seen what Mrs L says about how the engineer positioned the water against the seal. I've no expert evidence to show the test the BG engineer did to come to his conclusion was wrong. But as the seal leaked it was reasonable for the engineer to think the seal was the problem. He acted reasonably in not doing further checks at that time.

Mrs L raised that BG's engineer's report says he checked the pipes and no leaks were found which isn't correct. It's not clear which pipes he checked but it's very unlikely to have been the relevant pipe as Mrs L would have known because access was needed through the wall. As the engineer thought he'd found the leak he acted reasonably in not removing tiles to do further tests.

BG's engineer's report says the seal needed replacing which Mrs L will arrange. The report doesn't mention the area needed retiling and our investigator has noted that Mrs L had plans to refit the bathroom at some point which is why additional work to the seal repair was carried out.

So even if I thought BG acted unreasonably there's no basis for me to say BG should reimburse Mrs L the cost of the retiling work. There's no evidence BG recommended all that work and Mrs L was going to have the work done at some point anyway.

The continued leak shows BG had misdiagnosed the shower sealant leaks as causing the problem. Mrs L claimed on her home insurance to find the problem leak and repair. I understand she was frustrated by BG's misdiagnosis. But as she didn't first return to BG it didn't have the opportunity to find and repair the leak under its policy. As the BG policy has a £1,000 limit for getting access and making good for each repair Mrs L may not have had to make a claim on her home policy.

If BG's policy hadn't covered all the work required Mrs L would have either had to make a claim on her home insurance or pay the costs herself anyway. There's no basis for me to say BG must pay the cost of the excess for the home insurance claim.

Mrs L's detailed all the stress she felt in having to deal with the situation and repairs on her own which I'm sorry to see. But as I think BG acted reasonably in thinking the shower leaks were the problem and there's no evidence it recommended the bathroom tiles be replaced it isn't responsible. I don't make any compensation award.

### **my final decision**

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs L to accept or reject my decision before 29 April 2019.

Nicola Sisk  
**ombudsman**