

complaint

Mrs N complains that Mapfre Asistencia, Compania Internacional De Seguros y Reaseguros S.A. gave her poor service under a home emergency policy.

background

Mapfre's engineers looked at Mrs N's boiler in December 2012 and March 2013. She complained about the service she received. In its final response, Mapfre offered Mrs N £150.

The adjudicator recommended that the complaint should be upheld. He concluded that Mapfre was responsible for mis-diagnosing faults and causing delays. He recommended that Mapfre should increase its offer from £150 to £500.

Mapfre disagrees with the adjudicator's opinion. It says, in summary, that it was not responsible for the delays.

my findings

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

Where the evidence is incomplete, inconclusive or contradictory (as some of it is here), I reach my decision on the balance of probabilities – in other words, what I consider is most likely to have happened in light of the available evidence and the wider circumstances.

A company installed Mrs N's boiler a few years ago. She had boiler insurance underwritten by Mapfre.

I accept that – in mid-December – it took Mapfre's engineer a few days to obtain parts and get the boiler going. I do not consider this unreasonable. But it does not suggest that the engineer found that the boiler was wrongly installed or dangerous.

So I find it surprising that – towards the end of the same month – a Mapfre engineer said that it was wrongly installed and dangerous. From what happened later, I do not consider that Mapfre's engineer was either correct or constructive in seeking a solution.

I find Mapfre responsible because the story was so different when Mrs N's installer attended. It took time (about three weeks) to get round to it. But from its job sheet I have seen the following:

*"Time Spent: 01:30...
problem with boiler is faulty diverter cartridge. replaced,
new p/xchanger and filling loop replaced"*

When Mrs N's boiler malfunctioned again in March, Mapfre's engineer's response followed a similar pattern. The engineer declared the boiler beyond economic repair due to a blocked heat exchanger. Again I do not consider that this was either correct or constructive.

Again Mrs N's installer took time (about five weeks) to get round to it. But its job sheet says:

"Time Spent 01:00..."

*New user control and pcb harness lead...
small condense leak on flue...
new inner flue O rings needed...
4 straights and 1x elbow to stop leak.”*

I bear in mind the terms of the policy. And I find that Mrs N’s installer twice provided a solution where Mapfre had not. I consider that Mapfre should not have left Mrs N without a working boiler while she waited for her installer.

And this was in some cold weather. I accept Mrs N’s statement that her home got cold and damp. I do not doubt that Mapfre caused Mrs N some upset and put her to some trouble. I consider that Mapfre has prolonged this and made it worse by its response to the adjudicator’s opinion. Overall I conclude that – while the adjudicator recommended £500 – I will award £550 for distress and inconvenience.

my final decision

For the reasons I have explained, my final decision is that I uphold this complaint. I order Mapfre Asistencia, Compania Internacional De Seguros y Reaseguros S.A. to pay Mrs N £550 for distress and inconvenience.

Christopher Gilbert
ombudsman