

complaint

Mrs S complains that British Gas Insurance Limited has carried out work in her rental property when she wasn't there.

background

In February 2015, Mrs S' tenant contacted British Gas about a problem they were having in her rental property. British Gas arranged for an engineer to visit the property. The engineer explained that a gas pipe needed to be re-run through the walls and redirected into the kitchen. The engineer also recommended that the boiler should be replaced, but Mrs S' tenant didn't want this.

The following day an appointment was booked for an engineer to carry out the work to the gas pipe. When they came to the property, the engineer was let in by the tenant. The work was carried out and the pipes were re-run.

In August 2016 Mrs S visited her property and was unhappy with the work that had been carried out. She didn't remember authorising this work and was very unhappy with the standard it had been completed to. She feels that either her, or her letting agent, should have been present when the work was done.

She complained to British Gas about this. It responded to say that Mrs S' tenants have permission to contact it. If there is then an adult present in the property, it's entitled to carry out work under the terms of the policy. So it didn't feel it had acted incorrectly here.

Mrs S disagreed and referred her complaint to us. Our investigator thought that British Gas had acted fairly too. She found that British Gas' records showed that Mrs S' tenants had permission to contact it and arrange for engineers to visit. She also noted that the policy entitled British Gas to enter the property and carry out the repairs as long as an adult was present. So she didn't feel it had acted unfairly.

Mrs S disagreed so the complaint was passed to an ombudsman to reach a decision on.

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'm not upholding this complaint, I'll explain why.

Under the '*Landlord arranging visits*' section of Mrs S' policy with British Gas, it says:

"Your tenants or your managing agents can call us directly to arrange any engineer's visit, providing you've given them your permission."

Mrs S says that she doesn't remember ever giving her tenant permission to arrange engineer's visits, or repairs. But British Gas' records show that her tenant did have permission to do this.

British Gas has explained that this policy was originally taken out in 2006, which means its records are limited because a business like this is only meant to keep records for six years. But from the information it's provided, the tenant here is recorded as having permission on its systems. So I can understand why British Gas thought it was permitted to arrange the visit and subsequent repairs. I can't see any record of Mrs S updating these records, so I think it's most likely that her tenant did have permission, based on the available information.

Under the '*getting into your home*' section of Mrs S's policy with British Gas, it says:

*"Our engineers will only work in your **home** if there's someone 18 years old or older there at all times during the visit. It's your responsibility to give us access to your **home**."*

When the engineer turned up to do the work, it's been confirmed that the tenant was in the property and let the engineer in. Mrs S's tenant was over 18 years old and, as far as British Gas knew, she'd given them her permission to arrange visits and repairs. So I think that British Gas's engineer was entitled to enter the property and to carry out the work.

I note that after saying that she was unhappy with the work, British Gas carried out its own inspection of the work and found that it had been carried out to the required standard. So I can't tell British Gas to do any more here.

my final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs S to accept or reject my decision before 2 June 2017.

James Staples
ombudsman