

complaint

Ms S is unhappy with the service Aviva Insurance Limited trading as HomeServe gave her when it inspected and then replaced her boiler. The policy Ms S is claiming under is a HomeServe policy, for which Aviva is the insurer and so makes decisions about whether a claim is settled or not. Therefore, I'll refer to Aviva throughout this decision.

background

In early February 2018 Ms S had a problem with her boiler so she called Aviva. It sent an engineer round on at least two occasions and parts were ordered. The engineer eventually decided the boiler was beyond economical repair so Aviva agreed to replace it. But Ms S was unhappy that the engineer had left her without heating and hot water, caused a further water leak and attended on the wrong day. Aviva apologised and offered her £150 compensation for her distress and inconvenience and another £100 for repairs.

Aviva engineers visited Ms S in late February 2018 to replace her boiler and test all its connected gas appliances, including the gas meter. Aviva says that as part of this testing, the engineers found the gas fire in the lounge to be dangerous so they disconnected it. Ms S arranged for her own engineer to look at the disconnected gas fire, and he carried out work which left it in safe working order.

A week or so after Aviva had replaced her boiler, Ms S could smell gas. So she rang the National Grid's emergency number, and it sent an engineer. The engineer found Ms S's gas meter was leaking gas, so they disconnected it. Ms S arranged for another engineer to fix the gas leak and reconnect the meter.

Ms S was unhappy with how Aviva had handled things and was very distressed that a gas leak might've placed her family in danger. So she again complained to Aviva. It apologised and offered her a further £500. Ms S didn't think this was enough so she got in touch with the ombudsman service.

The investigator thought Aviva gave Ms S poor service and caused damage to her home. He also accepted that Aviva had caused a gas leak at Ms S's home. But he thought the total of £750 Aviva had already offered was fair and reasonable compensation for everything that actually did happen. Ms S thinks this isn't enough in light of what could have happened, and because she believes Aviva's engineers discriminated against her. So her complaint's 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'm not intending to uphold her complaint.

It seems all parties accept Aviva gave Ms S poor service when it was inspecting her old boiler in early February 2018, so I won't go into further detail about that except to say I'm satisfied the £150 compensation Aviva offered Ms S is a reasonable amount given the distress and inconvenience it caused her. I'm also satisfied the further £100 Aviva offered for repairing the leak damage was enough, since it was based on quotes Ms S obtained and provided to Aviva.

So I just need to consider Ms S's other complaint points. Firstly, Ms S says she had a disagreement with Aviva's engineers when they were replacing her boiler, and that their disconnection of her gas fire was racially motivated. I'm sorry to hear Ms S feels this to be the case, and I can understand why she finds it upsetting.

Aviva says the gas fire's pebbles were the wrong type and number, and that flames were coming through in places they shouldn't. It says Ms S told the engineers she'd bought and fitted the pebbles herself, which Ms S also told our service. The disconnection notice the engineers gave Ms S states the fire was damaged and immediately dangerous. Aviva says because of this, the gas safety regulations meant its engineers had to disconnect the fire that day.

Ms S got her own engineer to look at the gas fire. His report says he reconnected the gas fire, installed new pebbles and carried out the tests needed so that it was in good safe working order. I note he doesn't comment on the original pebbles but does say he installed new ones.

While I appreciate Ms S is upset about this, I've seen nothing to suggest Aviva's engineers discriminated against her. Instead, I accept what Aviva says as a reasonable explanation for why its engineers disconnected the gas fire. And I don't think the report from Ms S's engineer contradicts what Aviva has said. So I can't say that Aviva incorrectly disconnected Ms S's gas fire.

Secondly, Ms S says that Aviva's engineers caused a gas leak at her home and that this put her family's life in danger. Aviva accepts its engineers caused this gas leak, and it's offered Ms S a further £500 to compensate her for the distress it caused her. But Ms S thinks this isn't enough to reflect the danger her family was placed in.

I understand why Ms S was so upset but I can't consider what might have happened, only what did happen and the impact this had. Fortunately no-one was hurt and the National Grid was able to stop the leak quite quickly. But it did cause Ms S distress and the inconvenience of arranging an engineer from her local council to reconnect the meter. I think the £500 compensation HomeServe has offered her for that is a fair amount.

Aviva got things wrong for Ms S and caused her inconvenience and distress. But I think what it's already done to put things right is a fair and reasonable resolution, so I won't be asking it to do anything further.

my final decision

For the reasons I've explained above, I'm not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms S to accept or reject my decision before 25 October 2018.

Ailsa Wiltshire
ombudsman