

complaint

Mr B complains that Aviva Insurance Limited is responsible for poor service under a home emergency insurance policy.

background

Mr B had a policy that covered his central heating boiler. The policy was in the name of a home assistance company. Aviva was the insurer responsible for dealing with claims. So where I refer to Aviva or the insurer, I include the home assistance company, its engineers and others for whose actions I hold Aviva responsible.

Mr B called for help when his boiler wasn't working properly. He complained that his insurer took too long to fix it. Aviva paid £125.00 compensation.

Our investigator recommended that the complaint should be upheld. He thought that – since he brought his case to us - Aviva had made Mr B a fair and reasonable offer to pay a further £125.00, a total of £250.00 in compensation.

Mr B disagreed with the investigator's opinion. He asks for an ombudsman to review the complaint. He says, in summary, that higher compensation is called for.

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 accept Mr B's statement that he made the home emergency company aware of the health conditions he and his wife had.

It was 16 November when his boiler stopped working properly. So I accept that the house quickly became cold. I think it was always going to take some time to get the heating back.

The first visit from an engineer was on 18 November. He ordered a new printed circuit board (PCB) and a new fan. On 19 November Mr B collected two fan heaters. But they were no substitute for central heating.

On 20 November Mr B called Aviva. But I don't think it gave him clear information about the parts it needed or the timescales involved. So on 21 November Mr B raised a complaint.

On 23 November another engineer visited. He ordered more parts. On 27 November the same engineer fitted the new parts. But the boiler still didn't work.

On 29 November an engineer got the boiler working. The house started to warm up. Mr and Mrs B had been without central heating for 13 days.

On 1 December, the company offered Mr B £125.00 compensation for the trouble and upset the delays had caused.

There were further issues with other parts. So Aviva didn't get everything fully repaired until 16 December.

I think that Aviva should've got the repair done more quickly and communicated better. But I don't think there's enough medical evidence to show that Aviva was responsible for damaging the health of Mr or Mrs B.

I can only award compensation for the distress and inconvenience Aviva caused the policyholder Mr B by its delay and the shortcomings in its communication. I keep in mind too the medical conditions Mr and Mrs B had. And I don't doubt that he was worried about her.

I've thought about how much compensation I would've awarded if Aviva had made no offer. Keeping in mind the time of year and the length of time involved, I think that £250.00 is a fair and reasonable figure.

Therefore I will order Aviva to pay Mr B – in addition to the £125.00 it has already paid – a further £125.00. I don't find it fair and reasonable to order Aviva to pay any more than that in response to Mr B's complaint.

my final decision

For the reasons I've explained, my final decision is that I uphold this complaint. I order Aviva Insurance Limited to pay Mr B – in addition to the £125.00 it has already paid – a further £125.00 for distress and inconvenience.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 6 July 2018.

Christopher Gilbert
ombudsman