

complaint

Mr R is unhappy that Aviva Insurance Limited delayed in paying a settlement due to him in respect of his home insurance claim, following an ombudsman's decision.

background

Following a claim after a leak at Mr R's property, Aviva completed the repairs. But Mr R complained to us as he felt he shouldn't have to pay for pipes being rerouted and a new boiler. He felt they were both necessary as a result of the repair work. An ombudsman at this service made a decision requiring Aviva to reimburse 50% of Mr R's cost to replace the boiler and all of the cost to reroute the imbedded pipes.

Mr R produced the invoice from his plumber but it included items which Aviva didn't think it had to pay for. So it asked for a breakdown. Eventually, after contacting Mr R's plumber, it got the breakdown it required and it agreed to a payment of £10,000. This included interest and compensation of £200 for the delay in making payment.

Mr R isn't happy with the compensation for the delay offered. The matter has 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.

I understand Mr R's feelings about the matter. In particular this claim has a long history leading to Aviva previously paying a large amount of compensation. But I have to bear in mind that I can only look at what has happened in respect of the settlement following the ombudsman's decision. I have considered everything Mr R has said and note he would like to talk to me. But I don't think that's necessary in this case. I think Mr R has put his case forward quite clearly.

When the decision was issued to Aviva it asked Mr R for an invoice relating to the pipes and the boiler. That invoice included costs such as fitting new radiators, which Aviva didn't think was part of fitting the boiler or rerouting the pipes. I believe Aviva had seen the invoice before. And I think it was slow in dealing with this but do think it was entitled to the further breakdown. It should have either asked to contact Mr R's plumber straight away or performed its own calculations.

Mr R was left in the situation of having to explain the work carried out himself. When Aviva referred the matter to its loss adjuster, it decided that Mr R's plumber would have to be approached. When the plumber provided the breakdown, Aviva did reply fairly quickly and agreed to pay its liability. In particular it agreed payment for the radiators and boiler pipework.

I do think that Aviva unnecessarily delayed in agreeing and paying the settlement. It did pay interest up to then. It also paid £200. I appreciate that Mr R feels he has had to spend lot of time in replying to the queries. But I do think that Aviva's queries were legitimate. Also we don't generally award compensation for a consumer's time in formulating their complaint.

As I've said the compensation awarded only relates to the delay in settlement. I can't take into account what previously happened as compensation has already been paid for that. I think in the circumstances that a payment of £200 is fair and reasonable.

my final decision

I note the settlement made by Aviva and don't make any further order.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 11 April 2016.

Ray Lawley
ombudsman