

## **complaint**

Miss M complains about British Gas Insurance Limited's (BG) handling of her claim under her Landlord's HomeCare policy, and its refusal to meet her costs in repairing a leak.

## **background**

Miss M said her neighbour below the flat she lets reported that a leak was coming through her ceiling. Miss M contacted BG and said it sent out three engineers, but they couldn't locate the problem.

Miss M thought the problem might be the washing machine or boiler, but said BG's engineer told her it's 99% not the washing machine. Miss M's tenant was unhappy at having to wait in for appointments, so Miss M took time off work to do this. And when the problem wasn't resolved she said she felt she had no choice but to instruct her own plumber.

Miss M was charged around £600 by the plumber who said that he found three problems with the washing machine and low boiler pressure which he said might be caused by a leaking radiator. Miss M said the plumber was able to fix all of the problems. Miss M said BG offered her £99, but she feels it should cover her entire cost of the plumber as she would never have needed to pay if BG had fixed the problems when it had the chance.

BG said its records show that there were no leaks found on Miss M's washing machine. BG said she reported a leak from the toilet - not the washing machine and it thought there was no link between her concerns and the repair she paid for to the washing machine. BG paid Miss M £99 as a gesture of goodwill being the amount it said it would have cost it for the repairs. But it said it wouldn't meet the costs of her plumber as she hadn't given it the opportunity to revisit and it doesn't pay third party costs unless agreed in advance.

The investigator said BG checked the washing machine twice but couldn't find a leak, and Miss M then paid her own plumber who's report detailed the leaks from inside the washing machine. She said BG's reports weren't detailed and didn't say a check of the inside of the machine had been made before concluding there was no leak. She thought it likely that BG's plumber missed the leak from the washing machine. She said BG had disregarded Miss M's report and its response to her complaint was unfair. She said BG should pay Miss M for her plumber, less the £99 already paid. And BG should pay Miss M £150 compensation for the trouble and upset it had caused her, including her time making phone calls to BG.

BG disagreed with the investigator. It said it had made clear the process of the inspection its staff carry out during home visits and everything its engineer will cover. BG said it's clear that it has been thorough. BG requested an ombudsman review the complaint.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

My role is not to determine how the leaks in Miss M's flat should have been addressed, but to see if BG handled her claim fairly and whether or not it's been fair to her in the payment of compensation.

BG has provided details of its normal inspection regime when an engineer is called out. But its report of the visits to Miss M's flat lack details of the checks that were actually carried out.

BG said its records show that there were no leaks found on Miss M's washing machine. But the record shows the machine was checked and so I can't be sure whether its engineer checked the inside of the washing machine where the leaks were situated, or not.

BG said when Miss M made contact she reported a leak from the toilet and this wasn't linked to any concerns about the washing machine. But BG's visit notes show there were concerns about the toilet and the washing machine and so I don't think its correct here.

Miss M said she felt little option than to call her own emergency plumber as BG hadn't been able to identify the source of the leak. I can appreciate the pressure she was under; her tenant couldn't be available for further appointments and the occupant of the flat below was fed up with water entering her ceiling.

BG had opportunities to identify the source of the problem and hadn't managed to do so. I can understand why Miss M lost confidence in BG's ability to fix the problem and went ahead with the repair. I think this was a reasonable course of action under the circumstances and I think the fair response from BG would have been to meet her repair bill in full.

BG hasn't done so, and this has caused Miss M further delay and inconvenience to what she suffered during the period of the claim. For this, I agree with the investigator, that it would be fair in the circumstances for BG to pay her compensation of £150.

### **my final decision**

For the reasons I have given above it is my final decision that the complaint is upheld. I require British Gas Insurance Limited to pay Miss M £612, being the cost to her of a plumber, less its £99 compensation it previously offered so long as this has been paid.

I also require British Gas Insurance Limited to pay Miss M £150 compensation for the distress and inconvenience it caused her during and after its poor handling of her claim.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss M to accept or reject my decision before 26 June 2020.

Andrew Fraser  
**ombudsman**