

complaint

Mr M says that Society of Lloyd's mishandled a claim under his home emergency policy.

background

In November 2015 Mr M took out a home emergency policy with Lloyd's. In December 2015 an engineer attended Mr M's home to conduct an initial service of the boiler.

When the engineer was inspecting the boiler Mr M pointed out a leak and said that it had been there before he had taken out the policy. The engineer found that this leak had possibly affected some other parts of the boiler. The engineer also found that the boiler needed some new parts which were covered by the policy, and so he ordered them.

In January 2016 the engineer returned to fit these parts, but before he could do so he had to drain down and then re-fill the boiler. Once he had done this he fitted the new parts, but then found that the pump had then failed. He thought this was due to the leak getting worse once the system had refilled. The boiler stopped working leaving Mr M without heating and hot water.

Lloyd's then told Mr M that his policy didn't recover the necessary repairs as they'd been caused by a 'pre-existing' fault. Mr M then called out a private engineer who was able to fix the boiler. This engineer was also able to fix the boiler without replacing the part that Lloyd's engineer had said was faulty.

Mr M complained to Lloyd's. He said he had been left without heating and hot water for nine days during the winter. And that the problem with the boiler had been caused by a poor repair by Lloyd's engineer. Lloyd's didn't agree with Mr M and so he complained to this service.

my findings

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

It's agreed that the policy doesn't cover repairs to any problems that the boiler had before the policy was taken out. It's also agreed that Mr M's boiler had a leak that was there before he took the policy out in November. So, the issue for me to decide is what is more likely than not to have caused the boiler to stop working and whether Lloyd's has acted fairly and reasonably.

Lloyd's engineer inspected Mr M's boiler and recommended new parts be fitted that were covered by the policy. These parts were ordered and the engineer returned to fit them just over a week later. Mr M says that although there was a leak the boiler was in full working order right up until the engineer fitted the new parts in January.

Lloyd's has said the boiler broke down because of the leak affecting other parts of the boiler, in particular the pump. It says the leak may have got worse because the boiler was drained and then re-filled. But Mr M says the private engineer he employed to fix the boiler didn't have to put in a new pump, but had to replace a valve that Lloyd's engineer had worked on to get the boiler working again.

So, it appears that the parts of the boiler that Lloyd's engineer said had been damaged by the leak were still working. Which means it's more likely than not that the Lloyd's engineer did something to the boiler that caused it to fail. And the impression given to Mr M by the engineer working on the boiler under the policy was that the faults would be covered. Lloyds should've made it much clearer to Mr M what it would and wouldn't cover.

Looking at the evidence I don't think Lloyd's has acted fairly or reasonably. Mr M was left without hot water and central heating in winter for several days. And he had to arrange his own engineer to repair the boiler. I think that £200 compensation, together with covering the cost of the private engineer, (subject to receiving the invoice), would be fair. I'm upholding Mr M's complaint.

my final decision

I'm upholding Mr M's complaint. I require Society of Lloyd's to pay Mr M £200 as compensation for the distress and inconvenience caused to him. It must also re-pay him the cost of the private engineer who Mr M called to fix the boiler once Mr M has supplied the invoice to it.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 9 September 2016.

Jocelyn Griffith
ombudsman