

complaint

Ms R and Mr K complain about the handling of a claim by British Gas Insurance Limited (BG).

background

Ms R and Mr K had a regular heating check. In 2012 (and prior to that) all results were clear and they were not told of any problems. In 2013 there was a leak, this was found to be from their hot water cylinder, some considerable damage was caused by the leak. Ms R and Mr K believe that BG should have warned them their cylinder was nearing the end of its useful life and they should have been told to replace it. BG dispute this.

Ms R and Mr K brought this matter to our office. One of our adjudicators considered the matter and did not find in their favour. They felt that BG could not reasonably have foreseen the cylinder failure, but they did consider some payment might be due for having the cylinder replaced. A colleague later reviewed this and felt that no payment was due for the replacement either. Ms R and Mr K have asked for an ombudsman to review the matter in its entirety.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

Having done so I agree with the (second) adjudicator and make no award.

There is a limit on the number of tests I might expect a normal heating service to contain, and checking the cylinder wall thickness is not one of them. Having seen many heating related claims this set of circumstances is unusual (normally boiler and pipe problems cause issues long before a cylinder) and not one I would have expected BG to predict with any certainty. I think there is also an underlying risk as to what cylinder thickness you might consider when warning of replacement. It seems that the cylinder was not leaking in 2012 and I suspect it would be very hard to say with precision when a replacement was required, leading perhaps to accusations in other cases of premature work and associated charges.

I do have sympathy for Ms R and Mr K it that any water leak is disruptive and in particular I note this all occurred around a holiday period for them. But, I do not think I can conclusively say BG should have spotted a problem in 2012 and taken a different course of action.

my final decision

I make no award against British Gas Insurance Limited in this case.

Under the rules of the Financial Ombudsman Service, I am required to ask Ms R and Mr K to accept or reject my decision before 19 January 2015.

Christopher Tilson
ombudsman