

## **complaint**

Mr E complains that Homeserve Membership Limited mis-sold him a boiler breakdown policy.

## **background**

Mr E's boiler broke down in November 2016. Due to the cost of fixing it the underwriter said it was beyond economic repair. Because the boiler was more than seven years old, the policy paid Mr E a £200 contribution towards a new one. Had the boiler been newer, a replacement would've been given.

Mr E says Homeserve should've brought this to his attention when it automatically renewed the policy in January 2016. As Mr E's boiler was eight years old at renewal, the cover available to him was significantly different to the year before.

Homeserve says it didn't have to give Mr E advice. It sent Mr E renewal letters and asked him to read the policy to ensure it was still adequate for his needs.

Our investigator didn't think Homeserve had done anything wrong. She said it was Mr E's responsibility to ensure the policy met his needs.

Mr E didn't agree. So the complaint has been passed to me for a final 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.

Mr E says Homeserve were aware how old his boiler was and would've known the level of cover was different to the previous year. So it hasn't acted fairly by not bringing this to his attention. I can understand why Mr E has found this frustrating, and I agree it would've been helpful had Homeserve given him advice about it. But it wasn't obliged to. So I can't fairly say Homeserve has done anything wrong.

The policy was sold on a non-advised basis. That means it was up to Mr E to decide if the policy was suitable for him. But Homeserve still had to give him clear information, which I think it did. Mr E was sent renewal documentation which asked him to check the policy was still suitable for his needs. And the policy did explain what was covered for a boiler that was more than seven years old. For this reason I don't think the policy was mis-sold.

## **my final decision**

For the reasons given above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr E to accept or reject my decision before 21 April 2017.

Tero Hiltunen  
**ombudsman**