

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /0680

Date of Decision: 20 April 2018

Complaint

The customer's claim is that the company incorrectly charged him for the period 8 May 2016 to 26 October 2017, as it should have changed his tariff from Rateable Value to the Assessed Household Charge. The customer is seeking the Assessed Household Charge for be applied for the period 8 May 2016 to 26 October 2017.

Defence

The company submits that the Assessed Household Charge is only applicable when an application for a water meter has been made and it is found that it's not possible to fit one. As the customer did not apply for a water meter prior to 27 October 2017, and in line with its policy, the company should not backdate the Assessed Household Charge. The company further submits that up until 26 October 2017 the customer was correctly billed. Furthermore, the company has provided a good level of service at all times throughout its dialogue with the customer and therefore the company is not liable for any damages in this respect. The company has not made any offers of settlement.

Findings

I am satisfied the evidence points to the fact the company did not fail to provide its services to the customer to the standard to be reasonably expected with regard to billing for the period 8 May 2016 to 26 October 2017 and the Assessed Household Charge. Furthermore, I am satisfied there have been no failings with regard to customer service as the company has provided a good level of service at all times throughout its dialogue with the customer.

Outcome

The company does not need to take any further action.

- The customer must reply by 21 May 2018 to accept or reject this decision.

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- The company submits it has a duty to treat all its customers fairly and to backdate the Assessed Household Charge prior to the customer's application for a water meter would not be fair to other customers who have followed the same process.
- Furthermore, the company asserts it has provided a good level of service at all times throughout its dialogue. Therefore, the company submits it is not liable for any damages in this respect.

How is a WATRS decision reached?

In reaching my decision, I have considered two key issues. These are:

1. Whether the company failed to provide its services to the customer to the standard to be reasonably expected by the average person.
2. Whether or not the customer has suffered any financial loss or other disadvantage as a result of a failing by the company.

If the evidence provided by the parties does not prove both of these issues, the company will not be directed to do anything.

I have carefully considered all the evidence provided. If I have not referred to a particular document or matter specifically, this does not mean that I have not considered it in reaching my decision.

How was this decision reached?

1. To succeed in a claim against the company, the customer must prove on a balance of probabilities the company has failed to provide its services to the standard one would reasonably expect and that because of this failure the customer has suffered some loss or detriment. If no such failure or loss is proved, the company will not be liable.
2. I must also remind the parties that adjudication is an evidence-based process where the burden of proof rests on the claimant, in this case the customer, to prove his case on the balance of the evidence.
3. The dispute centres around whether the company should charge the customer on Assessed Household Charge basis rather than Rateable Value basis before he requested that a water meter be installed. The company is required to meet the standards set out in OFWAT's Charges Scheme Rules and the Water Industry Act 1991.

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4. Furthermore, the company also has certain obligations in respect of its customer services as set out in OFWAT Guaranteed Standards Scheme and the company's own Customer Guarantee Scheme.
5. From the evidence put forward by company, on 7 September 2017 the company opened an account for the customer based on information supplied by the Valuation Office Agency which showed that the customer had been resident at his property since 8 May 2016. A bill was sent to the customer the same day for £753.18 for the period of 8 May 2016 to 1 April 2018 based on the Rateable Value.
6. On 27 October 2017 the customer contacted the company requesting that a meter be installed. The company states within their defence documents that before this date no communications whatsoever had been received from the customer. However, it was found by the company on the 24 November 2017 that it was unable to fit a meter and on the 28 November 2017 the company closed the customer's Rateable Value account and opened a new account based on the Assessed Household Charge.
7. The evidence shows that on 4 December 2017 the original bill was revised to reflect the Assessed Household Charge. The bill showed £101.48 for the Assessed Household Charge and £583.58 for the Rateable Value charges for the period 8 May 2016 to 26 October 2017. On 12 December 2017 the customer contacted the company and raised the issue that his previous Rateable Value charges were too high and wished to have the Assessed Household Charge backdated.
8. From the company's defence documents, on the 20 December 2017 that the backdating of the Assessed Household Charge was rejected by the company as the customer always had the option, since moving into the property in 2016, to have a meter installed. Furthermore, the company offered different payment options if the customer was unable to pay the outstanding balance. The company defence states that the customer did not put a payment plan in place.
9. On 1 February 2018, CCW contacted the company to advise that the customer had requested a water meter on the 8 May 2016. However, the customer has not provided any evidence of this request, nor has the company any record of contact by the customer before 27 October 2017. charges.

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10. From the evidence put forward by the company, the Assessed Household Charge is only applied after a request for a meter has been made and the company is unable to either install the meter or use the meter for recording consumption at the property in question. The evidence shows in this instance the company was unable to use the meter for recording consumption at the property. Therefore, the company was correct in applying the Assessed Household Charge at the customer's property from 27 October 2017.
11. With to regard to whether the previous rate charges from May 2016 to October 2017 were correct, the evidence shows the customer was billed on a Rateable Value. The Rateable Value is based on the value of the customer's property, its location, the proximity to local amenities and was set in the 1970's by an independent District Valuer and the Local Authority. The Rateable Value system does not take account whether or not the property has single occupancy and no single person reduction is offered by the company. The company has two tariff systems in place either the Rateable Value or by a meter and the evidence shows until October 2017 there was no request by the customer for a meter to be installed. Therefore, I find the customer has been billed the correct Rateable Value tariff up until 26 October 2017.
12. In light of the above and after careful review of all the evidence, I find the company has not failed to provide its services to the standard one would reasonably expect with regard to billing on Rateable Value. The customer has suffered no loss or detriment, as soon as it was requested and then found that a water meter could not be installed, the customer was moved to the Assessed Household Charge. Accordingly, I find the company does not have to revise its bill for the period 8 May 2016 to 26 October 2017 on an Assessed Household Charge basis.
13. The company has certain obligations in respect of its customer services. From the evidence provided I am satisfied that by the end of the company's dialogue with the customer, the company had adequately explained the reasons behind the Assessed Household Charge and Rateable Value Tariff and how they were applied.
14. In light of the above, I find the customer has not proven the company failed to provide its services to the standard to be reasonably expected with regards to the Assessed Household Charge or Rateable Value tariff bills, nor has the customer proved the company failed to provide services to the standard to be reasonably expected when investigating these issues. Furthermore, I find there have been no failings with regard to customer service.

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Outcome

The company does not need to take any further action.

What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 21 May 2018 to accept or reject this decision.
- When you tell WATRS that you accept or reject the decision, the company will be notified of this. The case will be closed.
- If you do not tell WATRS that you accept or reject the decision, this will be taken to be a rejection of the decision.



Mark Ledger FCI Arb
Adjudicator

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