

# **WATRS**

## **Water Redress Scheme**

### **ADJUDICATOR'S DECISION SUMMARY**

**Adjudication Reference: WAT/ /1180**

**Date of Decision: 25 March 2019**

#### **Complaint**

The customer submits the company failed to provide the correct refund after finding she had paid for her neighbour's water usage in error. She claims for the company to refund the amount overpaid plus interest.

#### **Defence**

The company denies liability. It recalculated the customer's bills based on the Assessed Household Charge and no further refund is due.

#### **Findings**

The customer has not proven any failing by the company.

#### **Outcome**

The company does not need to take any further action.

The customer must reply by 22 April 2019 to accept or reject this decision.

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Date of Decision: 25 March 2019

## Party Details

**Customers:** [ ]

**Company:** [ ]

## Case Outline

### **The customer's complaint is that:**

- Since moving into her property in 2006 she has been charged on a metered basis.
- In 2017 the company found she was on a shared water supply and she had been paying for her neighbour's water usage as well as her own.
- The company was unable to fit a water meter on her supply alone and so billed her based on the number of people occupying her property; an Assessed Household Charge ("AHC").
- However, she believes she is worse off paying the AHC than she would have been paying for only the water she used.
- She wants the company to refund the amount overpaid plus interest.

### **The company's response is that:**

- The previous owner of the customer's property requested a water meter and one was fitted in 2005.
- When the customer moved into the property in 2006 it continued to charge her on a metered basis.
- In October 2017 its engineer attended the customer's property to carry out some work and found she was on a shared supply. This meant she was paying for the water used by her and her neighbour.

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- When a customer asks for a meter and it is able to fit one it will charge them on a metered basis. When it is unable to fit a meter, it will charge them based on the number of people in the property; the AHC.
- It was unable to fit a meter on the customer's supply alone, and so it recalculated her bills based on the AHC. This is in accordance with its scheme of charges.
- It cannot calculate the amount of water the customer has used and so it cannot charge her for her usage alone or provide any further refund. Therefore, it denies the claim.

### **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.

In order for the customer's claim against the company to succeed, the evidence available to the adjudicator must show on a balance of probabilities that the company has failed to provide its services to the standard one would reasonably expect and that as a result of this failure the customer has suffered some loss or detriment. If no such failure or loss is shown, the company will not be liable.

I have carefully considered all of 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. The company is entitled to charge its customer's in accordance with its charges scheme, which is approved by Ofwat.
2. The company's charges scheme states that where a property is unmeterable the company will charge a person based on the AHC.
3. The water meter fitted at the customer's property was on a shared supply. This means it was recording water used by the customer and her neighbour. The company has investigated

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whether it can fit a water meter on the customer's supply alone and found that it cannot. I therefore accept that the customer's property is unmeterable and the company can apply the AHC.

4. The AHC is a fixed charge based on the number of people living in the property. It is therefore possible the customer would pay a lower amount if she was charged based on the water she used. However, the company has no way of measuring the water the customer uses.
5. I appreciate the customer is unhappy the company will not charge her based on her usage and she feels she is due a further refund. However, I find the company cannot charge the customer based on her usage and it has correctly applied the AHC in line with its scheme of charges.
6. The company has amended the customer's charges correctly and therefore no further refund is due.
7. I am satisfied the company provided its services to the standard to be reasonably expected. Therefore, I find the customer's claim is unable to succeed.

#### **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 22 April 2019 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 then 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.

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**Justine Mensa-Bonsu**, LLB (Hons), PGDL (BVC)

**Adjudicator**

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