

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /0778

Date of Decision: 24 May 2018

#### Complaint

The customer states that she has been billed incorrectly by the company, that the company has been confusing in its statements regarding when her payments were due, and that there are problems with her water supply. She requests that the company write off her bill; that she be able to get white goods, etc. on the water scheme; and that the company pay compensation for the stress she has experienced.

#### Defence

The company states that it has billed the customer correctly, and that it has not received any complaints from the customer regarding her water supply.

It states that it has attempted to assist the customer with her payments in the past, and remains willing to do so.

#### Findings

The company has billed the customer properly, and has provide its services to the customer to the standard to be reasonably expected by the average person.

#### Outcome

The company does not need to take any further action.

The customer must reply by 22 June 2018 to accept or reject this decision.

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# ADJUDICATOR'S DECISION

Adjudication Reference: WAT/ /0778

Date of Decision: 24 May 2018

## Party Details

Customer: [ ]

Company: [ ]

## Case Outline

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

- The company has not placed her on a Single Tariff for the entire period in which she has been the sole resident at her property.
- She has struggled with making her payments.
- The company confused her by giving her different dates on which payments needed to be made.
- She asked for a written notice of when payments were due, but it was not sent.
- She has not paid the full amount owed, but has made payments. However, the company has threatened to take her to court.
- Her water is off a lot and the water pressure is low.
- She is disabled and needs constant water for health reasons.
- She requests that the company write off her bill; that she be able to get white goods, etc. on the water scheme; and that the company pay compensation for the stress she has experienced.

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

- The customer moved into the property on 21 May 2005, and at that time water charges were calculated based on the rateable value of the property.
- The customer made direct debit payments up to 13 July 2011.

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- On 6 December 2010, the customer contacted the company to inform it that she was having difficulty paying her bills. It notified her of its payment assistance schemes, and referred her to the Citizens Advice Bureau.
- At this time the customer told the company that there were two occupiers living at her home, that she was unemployed, and that she was in receipt of income support.
- It did not offer the customer a water meter at this time, as average metered charges for 2 people were not significantly different than the rateable charges the customer was already paying.
- The Single Person Household Tariff was not offered to the customer at this time as she had told the company that there were two occupiers at the property.
- The customer subsequently fell into arrears, and agreed for payments to be deducted from her benefit payment.
- On 29 May 2013, the customer informed the company that she was the sole occupier of the property, and the company advised her of its Free Water Meter Option Scheme.
- The company was unable to fit a water meter, and so applied its Single Person Household Tariff from 10 June 2013, based on the customer's notification that she was the sole occupier at the property.
- The customer subsequently built up arrears again, and was offered payment assistance, but even with that assistance, payments were not made in a timely manner.
- The customer contacted the company on 25 October 2017 to ask why the Single Person Household Tariff had not been backdated to 2005, when she moved into the property.
- The Tariff was not available prior to 1 April 2008, and the customer had previously told the company that there were 2 occupiers at the property.
- The company has sent further payment assistance information to the customer, but has received no further contact about the Support Tariff, although the customer has registered for priority services.
- The customer has not contacted it about any problems with poor water pressure or interruption to the water supply. It is unable to find any evidence of other issues or complaints in the area of the customer's property that would affect the customer's water supply.
- It states that it has billed the customer correctly, and has attempted to assist the customer in making payments.
- The customer's claim regarding white goods relates to the Trust Fund, which is an independent body. The company does not establish the criteria for assistance by the Trust Fund, or oversee its operations.

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- The company does not believe that it is obligated to pay the customer compensation, as it has placed the customer on the best tariff available to her, and has provided payment assistance to her several times.
- It is willing to continue to offer help and support to the customer through the Payment Match Scheme, and if the customer can commit to paying her current year charges, it is willing to look to reduce the amount it deducts for payment of her arrears.

**The customer comments on the company's response that:**

- Her son has not lived with her since 2008, and as a result she has been the sole resident at the property since that time.
- She reiterates that the company has acted confusingly with respect to her bills.
- She has had problems with her water pressure, and her water was brown at one point.

**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 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 customer argues that she should have been placed on the Single Person Household Tariff when she first moved into the property, and that as a result her water bills should be reduced to reflect the incorrect tariff she has been charged.

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2. The company, however, has emphasised that the Single Person Household Tariff was not available prior to 1 April 2008.
3. It is, therefore, clear that the customer does not have a valid claim that she should have been placed on the Single Person Household Tariff at any date prior to 1 April 2008.
4. Nonetheless, the customer was not placed on the Single Person Household Tariff until 10 June 2013, and the customer has argued that she has been the sole resident at the property since 2008.
5. However, the company has clarified that the Single Person Household Tariff is not available to customers until the company has attempted to fit a water meter at a property, and has determined that this cannot be done. This occurred on 10 June 2013.
6. The company has acknowledged that the customer contacted it in December 2010, and that it did not at that time suggest having a water meter fitted. However, it has explained that at this time it believed there were two occupiers at the property, based on the customer's prior statements, and as a result, a water meter would not have provided a significant saving for the customer.
7. The customer has provided no evidence that she had at any point prior to 2013 communicated to the company that she was the sole occupier at the property, and the company has produced a letter from the customer in which she refers to her son. This letter is ambiguous as to whether or not her son is living with her, however I find that it was reasonable of the company to conclude on the basis of this letter that both the customer and her son occupied the property.
8. As a result, even if the customer has been the sole occupier of the property since 2008, she was not entitled to the Single Person Household Tariff until she was refused a water meter in 2013, and the company acted reasonably in not offering to fit a water meter until that time, based on the reasonable conclusion it had drawn that there were two occupiers at the property.
9. Consequently, the customer's request that the company write off her bill does not succeed.
10. The customer also requests that she be able to get white goods, etc. through what the company has clarified is the Trust Fund.

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11. However, I accept that the company does not establish the criteria for assistance used by the Trust Fund, or oversee its operations, and so cannot be ordered to allow the customer to access assistance through the Trust Fund.
12. Consequently, this element of the customer's claim does not succeed.
13. The customer also requests that the company pay compensation for the stress she has experienced.
14. However, while I do not question that the customer has experienced stress, the company has effectively established that it has consistently worked with her in order to find a means by which she would be able to pay her bills.
15. The customer emphasises isolated instances in which the company provided conflicting information, however I find that these instances do not suffice to establish an overall pattern of behaviour that would justify an award of compensation.
16. Consequently, this element of the customer's claim does not succeed.
17. The customer also raises a complaint about problems with the water pressure and the quality of the water at the property.
18. However, the company has emphasised that it has never received complaints on these matters from the customer, and that it is unable to identify local conditions that may be causing such problems. On the balance of the evidence available to me, I find the company's statements in this respect to be true.
19. The company cannot be held responsible for not resolving issues of which it has not been notified, and so the customer must raise her complaints to the company before potentially raising any complaint at the Water Redress Scheme based on any alleged inadequacies in the company's response to those complaints.
20. Consequently, this element of the customer's complaint does not succeed.

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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 22 June 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 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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**Tony Cole, FCI Arb**

**Adjudicator**

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