

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /0836

Date of Decision: 11 September 2018

#### Complaint

The customers believe that their water bills are too high. They complained to the company who investigated this issue at length and found no leaks, crossed supplies, faults or any other problem with its assets that would affect the customers' water service charges. The company ultimately concluded that the customers' water bills are an entirely accurate reflection of the water used at their property. The customers referred the issue to CCWater who also concluded that the customers' water bills accurately reflected their water usage. The customers continue to dispute the accuracy of their water bills. Therefore, the customers have not paid their outstanding water bills. The customers are seeking an apology, a refund of £8900.00, compensation for the cost of a leak expert in the sum of £510.00 and compensation for general inconvenience in the amount of £2500.00.

#### Defence

The company states that it has conclusively determined that there are no leaks, crossed supplies, faults or any other problems with its assets that would affect the customers' water charges. The company maintains that the customers' water bills are an accurate reflection of the water usage at their property. This is proven by the customers' own water meter readings. The company suggests that the high water usage at the customers' property could be due to their irrigation system and their water softening system. The company has explained to the customer that it is only responsible for the maintenance of its own assets (and that the customer's private water pipe/plumbing system is their own responsibility to maintain); however, it has nonetheless helped the customer to identify and repair a private leak. Furthermore, as a gesture of goodwill, the company paid for the leak repair and provided the customers with a £209.85 leak allowance (this is usually reserved for customers who have suffered an external supply pipe leaks). The company states that it has gone above and beyond excellent service to aid the customers with their concerns regarding this matter. It confirms that the customers have been correctly charged, there are no issues with any of its assets, it has assisted the customers in locating and repairing the leaks on their private pipes and it has provided them with a very generous gesture of goodwill. The company states that, in light of all the

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above, it does not accept any liability for the customer's claims for redress.

### Findings

I am not satisfied that the evidence available shows that the company has failed to provide its services to the standard to be reasonably expected by the average person. I find the company has shown that there are no issues with its assets that would affect the customer's water service provision and I am satisfied that the customers' water bills provide an accurate reflection of the water usage at their property.

### Outcome

The company does not need to take any further action.

The customer must reply by 9 October 2018 to accept or reject this decision.

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## ADJUDICATOR'S DECISION

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### Party Details

Customers: [ ].

Company: [ ].

### Case Outline

#### **The customers' complaint is that:**

- Their water bills are too high.
- The customers complained to the company who investigated this issue at length and found no leaks, crossed supplies, faults or any other problem with its assets that would affect the customers' water service charges.
- After investigation, the company concluded that the customers' water bills are a completely accurate reflection of the water used at their property.
- The customers state that they then referred the issue to CCWater. Following its thorough review, CCWater also concluded that the customers' water bills accurately reflected their water usage at the property.
- The customers state that they are disappointed with the outcome of their complaints and still believe that their water bills might not be accurate. The customers have therefore refused to pay their outstanding water bills.
- The customers are now claiming for the company to provide an apology, a refund of £8900.00, compensation for the cost of a leak expert in the sum of £510.00 and compensation for general inconvenience in the amount of £2500.00.

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

- It acknowledges the customers' concerns that their water bills are too high. However, it has conclusively determined that there are no leaks, crossed supplies, faults or any other problems with its assets that would affect the customers' water provision.
- The company states that the customers' water bills are a correct and accurate reflection of the water usage at their property. This is proven by the customers' own water meter readings.
- The company suggests that the high water usage at the customers' property could be due to their irrigation and water softening systems.
- The company states that it has attended the customers' property on many occasions since 2015 to investigate this issue. On its fourth visit, in 2016, the company identified the possibility of an internal leak from the customers' private pipes. This was eventually identified to be a leak from the customers' toilets. The company explained to the customer that it is only responsible for the maintenance of its own assets (and that the customer's private water pipe/plumbing system is their own responsibility to maintain) it exceptionally undertook the repair without charge. Furthermore, as a gesture of goodwill, the company provided the customers with a £209.85 leak allowance (this is usually reserved for customers who have suffered external supply pipe leaks).
- The company states that, after the customers raised their concerns in 2015, it placed their account on hold so they did not have to pay their bills whilst the matter was being investigated. It also sent a water efficiency manager to aid the customers with their water usage habits. Furthermore, after the investigation was concluded, the company agreed to provide the customers with a manageable payment plan for their outstanding water bills. However, the customers have now refused to pay their outstanding water bills.
- In response to the customers' claims for the cost of a leak expert, the company states that it has never agreed to reimburse the customers for hiring one.
- The company states that it has gone above and beyond excellent service to aid the customers with their concerns on this matter. It confirms that the customers have been correctly charged, there are no issues with any of its assets, it has assisted the customers in locating and repairing the leaks on their private pipes and it has provided them with a very generous gesture of goodwill.
- The company states that, in light of all the above, it does not accept any liability for the customer's claims for redress.

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## 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 crux of this dispute lies with the customers' belief that their water bills are too high. The customers state that they have complained to the company but it found no leaks, crossed supplies, faults or any other problem with its assets that would affect their water service charges. After investigation, the company concluded that the customers' water bills are a completely accurate reflection of the water used at their property. The customers state that they are disappointed with the outcome of their complaints and still believe that their water bills might not be accurate. Therefore, they have not paid their outstanding water bills. The customers are now claiming for the company to provide an apology, a refund of £8900.00, compensation for the cost of a leak expert in the sum of £510.00 and compensation for general inconvenience in the amount of £2500.00.
2. I remind the parties that adjudication is an evidence-based process and in order for any remedy to be awarded, the evidence must show that the company has not provided its services to the standard that would reasonably be expected of it.
3. I have been provided with the customers' water meter readings dating back to 2001 and detailed customer account notes showing the company's investigations in response to the customers'

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concerns. I have also been provided with copies of the customers' water bills showing how the charges have been calculated. Upon careful review of this evidence, and in the absence of any other evidence to show otherwise, I am only able to conclude that the customers have been charged correctly based on the water usage at their property and that there were no faults with the company's assets that would affect the customers' water charges. Accordingly, I find that the evidence available to me at the time of this adjudication does not support the customers' belief that they may have been incorrectly charged by the company.

4. Further to the above, having reviewed the company's actions in response to the customers' concerns, I note that it conducted numerous investigations and ultimately confirmed that there were no issues with any of its assets. In order to aid the customers further, I note that the company sent a water efficiency manager to the customers to advise them on improving their water usage habits.
5. I note that on one of its several visits to the customers' property, the company did identify a possible leak from the customers' private pipes. However, the company explained to the customers that it is not responsible for any leaks on their private water pipes and that it is the customers' own responsibility to maintaining their own water pipes/plumbing.
6. In spite of the above, I note that the company helped to identify the leak from the customers' toilets, paid for the repairs and also provided them with a leak allowance in the amount of £209.85 as a gesture of goodwill (despite the fact that leak allowances are actually only intended for customers who experience an external supply leak). In addition, I note that the company also agreed to provide the customers with a manageable payment plan to pay their outstanding water bills. Consequently, having regard for the company's overall actions in relation to this matter, I am not satisfied that the company has failed to provide its services to the standard to be reasonably expected by the average person.
7. Consequently, I am inclined to accept that the company has illustrated with substantive evidence that the customers have been correctly charged for water usage at their property and that there have been no issues with any of its assets. The company has explained to the customer that any issues with their private pipes/plumbing are their own responsibility. I note that this position has been consistently maintained by the company. Accordingly, under the circumstances, I am not satisfied that the company's actions in response to the customer's

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concerns (and its repeated confirmation that the customers have been correctly charged for water usage at their property) amount to a failure to provide its services to the standard to be reasonably expected by the average person.

8. Therefore, following careful review of all the submissions provided, I am not satisfied that the evidence shows any failures on the part of the company. Consequently, in the absence of any established failures on the part of the company, I do not uphold the customers' claims for redress.

#### **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 9 October 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.



**E. Higashi** LLB (Hons), PGDip (LPC), MCI Arb.

**Adjudicator**

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