

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /0975

Date of Decision: 30 January 2019

Complaint

The customer feels that he has been overcharged by the company. He believes that the company has “dodgy figures” and applied “hidden charges” to his water services bills for his previous property. The customer claims that the company has not explained his charges and why his water consumption is so high. The customer states that the company has ignored his requests. The customer is now claiming for his bills to be reviewed and the “hidden charges” to be removed.

Defence

The company states that it disputes all of the customer's claims. The company states that the customer has always been correctly charged. This is clearly proven by all the detailed bills provided to the customer. Furthermore, the company states that the customer's bills also provide a full explanation of his charges and his own water consumption. The company states that it has responded to all of the customer's requests and even visited his property on several occasions to confirm that there were no leaks that could have been causing an increase in water consumption. The company confirms that the customer has consistently underpaid his bills over the years and this has led to arrears building up on his account. It has tried to assist the customer by offering him payment plans/schedules and advised him of various schemes that may be of help to him. The company states that it fully co-operated with CCW's (Consumer Council for Water) investigation, which ultimately concluded that the customer has been correctly charged and that there were no grounds for it to challenge the company. The company states that, in light of all the above, it does not accept any liability for the customer's claim 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 the customer's water bills provide an accurate reflection of the water usage at his property and that it has provided appropriate responses to the customer's queries.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.



Outcome

The company does not need to take any further action.

The customer must reply by 27 February 2019 to accept or reject this decision.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

- The company confirms that the customer has consistently underpaid his bills over the years and this has led to arrears building up on his account. It has tried to assist the customer by offering him payment plans/schedules and advised him of various schemes that may be of help to him.
- The company states that it fully co-operated with CCW's investigation, which ultimately concluded that the customer has been correctly charged and that there were no grounds for it to challenge the company.
- The company states that, in light of all the above, it does not accept any liability for the customer's claim for redress.

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.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

How was this decision reached?

1. The crux of this dispute lies with the customer's belief that the company has charged him incorrectly. Specifically, the customer believes that the company has "dodgy figures" and applied "hidden charges" to his water services bills. The customer complained to the company; however, after investigation, it concluded that the customer's water bills are a completely accurate reflection of the water used at his property. The matter was then referred to CCW who concluded that the customer has been correctly charged and that the company has not committed any failures. The customer does not accept this outcome and is now claiming for the company to review his bills and remove the "hidden charges".
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 failed to provide its services to the standard that would reasonably be expected of it.
3. I note that I have been provided with copies of the customer's water bills, which provide a detailed explanation of how his charges have been calculated. Upon careful review of this evidence, and in the absence of any other evidence to show otherwise, I find that the customer has been charged correctly based on the water usage at his property. Furthermore, I also note that the evidence shows that the customer has consistently underpaid his water bills leading to a build-up of arrears on his account. Accordingly, I find that the evidence available to me at the time of this adjudication does not support the customer's 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 customer's 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 customer further, I note that the company also agreed to provide him with a manageable payment plan/schedule to pay his outstanding water bills. It also advised the customer of various schemes that may be of benefit to him. Additionally, having reviewed the evidence of the communicative exchanges between the parties, I find that the company communicated with the customer extensively and provided appropriate responses to his queries. Accordingly, 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.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

5. Consequently, I am inclined to accept that the company has illustrated with substantive evidence that the customer has been correctly charged for water usage at their property and that there have been no issues with any of its assets. I note that this position has been consistently maintained by the company and also supported by the findings of CCW's investigation. Accordingly, under the circumstances, I am not satisfied that the company's repeated confirmation that the customer has been correctly charged for water usage at their property (and its actions in response to the customer's concerns) amount to a failure to provide its services to the standard to be reasonably expected by the average person.
6. 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 customer's claim 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 27 February 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.



E. Higashi LLB (Hons), PGDip (LPC), MCIArb.

Adjudicator

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.