

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /1587

Date of Decision: 18 September 2019

#### Complaint

The customer states that she has been wrongly billed for her water services by the company. She states that she has been repeatedly overcharged for 16 years and that she particularly queries the most recent bill dated 8 March 2019. She claims that the company has never properly addressed her concerns and that when she requested action in relation to the most recent bill she was not assisted and an inappropriate answer was left on her telephone message service.

She seeks to be compensated for stress, she requires an investigation into the amount of £657 which she disputes is owed and an independent test of the meter or another solution. She would like an apology and a full explanation of her final bill.

#### Defence

The company states that it has had a number of complaints from the customer over the years. It states that it has always acted to assist the customer and gone above and beyond its legal duties in doing so. It states that it has explained the latest billing and that the customer is not happy with the information given. It disputes that it has not provided a good customer service.

No offer of settlement is made.

#### Findings

I do not find that there is any liability on the part of the company. I do not find that the customer has shown that the company failed to provide its services to her in a reasonable and proper manner,

#### Outcome

The company does not need to take any further action.

The customer must reply by 16 October 2019 to accept or reject this decision.

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# ADJUDICATOR'S DECISION

Adjudication Reference: WAT/ /1587

Date of Decision: 18 September 2019

## Party Details

Customer: [ ].

Company: [ ].

## Case Outline

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

- She is being wrongly charged for her water at [ ] ("the Property").
- She claims that she has been provided with water services at the Property since 2003.
- She states that the water charges have been too high for 16 years and most recently she complained about the charges for April 2019.
- She states that previously she was told to get a plumber to check for internal leaks.
- She claims that she has been repeatedly told that the charges are similar to those for four people.
- She states that there has only been one resident in the Property since 2004.
- She claims that the water meter was exchanged in 2008 but that this did not make a difference to the high bills.
- She states that the most recent complaint is in relation to the bill dated 28 March 2019 for £1.068.
- She claims that there must be something wrong with the meter but the company will not act to resolve the problem.
- She states that she has now rented the property out and is concerned that her tenants will face the same problems.
- She claims that on the 8 August 2019 she was told that an amount of £657 had been added to her account.
- She claims that this amount has not been explained to her and she requires an investigation

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- She claims that she has been treated badly and received poor service, especially with regard to the voicemail that was left for her which she found inappropriate.
- The customer seeks to be compensated for stress, an investigation made into the amount of £657 which she disputes is owed and an independent test of the meter or another solution. She would like an apology and a full explanation of her final bill.

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

- It has always responded appropriately to the customer's concerns.
- It states that the billing has been explained to the customer but that she has refused to accept the outcome of the investigations.
- It denies that there is any compensation due for delays in replying to the customer and that the company has not failed in its customer service.
- It states that over the years it has gone above and beyond good service in dealing with the customer. This included assisting her with an internal leak in the past that was not its liability.
- It advised that payment programmes have been facilitated for the customer to allow payment.
- It states that it only found out, after some considerable time, that the customer was not living in the property but that the customer's daughter in fact lived there.
- It states that this means that the customer cannot be fully aware of the water usage as formerly claimed.
- The company states that it is satisfied that there are no leaks and that the supply is not shared.
- It is satisfied that the water has been used and that the billing is accurate.
- It states that it has offered to facilitate a meter test on the usual terms but that the customer has not accepted this offer.
- No offer of settlement is made.

**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.

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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. For clarity, this scheme is evidence based and I shall make my decision on the information and supporting evidence supplied by the parties.
2. The customer must show that the company has failed to provide its services to a reasonable standard. Only if I am satisfied of this would I then go on to assess an appropriate remedy.
3. The customer's complaint is focused on the amount of £657 which, she states, has been added to her most recent bill without explanation. The company states that the billing is correct and that this amount was carried over from previous billing that had not yet been paid.
4. The customer states that she has sought an explanation of this amount and that the company has not responded.
5. The company has submitted in its defence a full breakdown of the billing, going back over a number of years. This has not been challenged by the customer in reply.
6. The company has also submitted a copy of the phone message that was sent to the customer after her query about the bill. It is apparent from this phone message that the company did respond to the customer's query. It is stated that a review of the billing had been carried out and that it was deemed to be correct. The customer was informed during the message that the money is properly owed.

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7. The customer disagrees with this finding and further states, as part of her application, that it was inappropriate for the company to leave a voice message.
8. In considering this part of the customer's application I note that while the customer has disputed the billing she has not addressed or challenged the company's assertion that this money is carried over from former bills that remain outstanding. Further, I have listened to the recording of the message informing the customer of the outcome of the company's review of her request and I do not find that it contains any inappropriate matter. The language is clear and the detail is relevant. I have also considered whether or not it was appropriate for the company to leave a voicemail at all, in answer to the customer's query. I do not find that it was wrong of the company to leave a message on the customer's voicemail system given that this is ordinary usage of such a system.
9. Regarding the outcome of the company's review into the bill that was questioned by the customer. I note that the defence provides a full history of the customer's account. The customer has not challenged any of this detail. I find that the company has articulated its reasoning for the amount of the bill and that it has properly looked into the amount that has been charged and attempted to explain it in full during this process. Given that this is not further questioned by the customer I do not intend to rehearse all the company's evidence here in respect of this billing and I do accept that it is properly charged.
10. I do note that the customer remains dissatisfied, but I have to take into account that this is not the same thing as the company failing to act in a reasonable manner in providing its service to the customer.
11. Therefore, in respect of the amount of £657 that is charged to the customer's account, I do not find that the company has failed to provide its services to the customer to the standard to be reasonably expected by the average person in its billing of this amount.
12. The customer states that she has been wrongly charged for her service at the Property for 16 years. The customer refers to incidents that have happened, such as the change of meter in 2008 and the internal leak, stating that the charging remains high despite these matters being addressed.

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13. I have to note here that the customer has not provided any supporting evidence for her allegations of overcharging. I understand that she intends to make a general observation that she has been consistently unhappy over her billing and I accept her feelings regarding this. Nonetheless, the decision I make in this adjudication will be based on the evidence and facts presented by the parties.
14. The company has produced in its defence a log of events going back to the beginning of the customer's account. I note that it claims that it has gone beyond normal service. It states that on one occasion it reduced the customer's billing due to an internal leak for which it was not legally responsible. The customer has not challenged this and I accept the company's evidence in this regard.
15. The customer states that she was repeatedly told that her charges were similar to those of properties with four people in residence. I have no supporting evidence for this information.
16. The customer has queried the whole of the bill dated 28 March 2019 for £1,068. Part of this is the amount of £657 which I have already addressed. Regarding the remainder of this bill the customer has sought clarification from the company. I find that the company's defence explains adequately the latest bill and. As this is not challenged, I accept the company's statement and find that the billing is correct.
17. The customer has stated that there must be something wrong with the way that the water is being charged and that the company has refused to act. I have carefully considered the company's defence, which I find to be a thorough explanation of the history of its actions with regard to the customer's account, and I note that the company has stated that it can arrange for a meter inspection. The company has offered this inspection on the terms that the customer will pay for the service if there is found to be nothing wrong with the meter. This is reflective of normal industry procedure when a customer requires a meter test. I do not find that the company has not acted properly, given its history over the last number of years and the fact that it has offered to arrange a further test for the customer.

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18. I am not directed to any particular legislation or guidance by the customer in respect of her claim and I do not find any that supports the customer's case.

19. I appreciate that the customer will be disappointed in this outcome. I must stress that my findings are made solely on the grounds of the evidence before me and are not a comment on the honesty of the customer who, I am sure, has made this application in all good faith.

20. It follows that I do not find that the company is at fault or that it has failed to 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.

#### **What happens next?**

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 16 October 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.



J J Higgins, Barrister, ACI Arb.

#### **Adjudicator**

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