

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /1096

Date of Decision: 27 November 2018

Complaint

The customer's claim is that she is being incorrectly charged by the company for her water supply. The customer is seeking: a £3,120.00 refund of overpayments from September 2014 to May 2018; interest on the repayment; to continue to pay £21.00 per month as originally charged in 2014; and, for the company to provide an apology for the stress and inconvenience incurred.

Defence

The company submits it has found no leaks on the customer's water supply and the installed meter is working correctly and recording the customer's actual usage. Furthermore, to resolve the customer's complaint the company has stopped using the metering readings and applied an Assessed Household Charge, which is normally only applicable when an application for a water meter has been made and it is found it's not possible to fit one. This has reduced the customer's monthly payments to £26.40. Furthermore, the company has provided a good level of service at all times throughout its dialogue with the customer and therefore the company is not liable for any damages in this respect. The company has not made any further offers of settlement.

Findings

I am satisfied the evidence shows the company did not fail to provide its services to the customer to the standard to be reasonably expected with regard to billing for the period September 2014 to May 2018. The reasons and evidence provided by the customer are not sufficient to justify her claim that she should be billed on a monthly rate of £21.00. Furthermore, I am satisfied there have been no failings with regard to customer service as I find the company has provided a good level of service at all times throughout its dialogue with the customer.

Outcome

The company needs to take no following further action.

- The customer must reply by 28 December 2018 to accept or reject this decision.

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Date of Decision: 27 November 2018

Party Details

Customer: []

Company: []

Case Outline

The customer's complaint is that:

- She is being incorrectly charged by the company for her metered water supply from 2014 to May 2018.
- Her original monthly payments were £21.00 per month, which then were incorrectly increased by the company to £65.00 per month from November 2014.
- She cannot account for the excessive amount water usage the company states she has been using as her daily water consumption is low and in line with what a single occupier would consume.
- The customer is seeking: a £3,120.00 refund of overpayments from September 2014 to May 2018; interest on the repayment; to continue to pay £21.00 per month as originally charged in 2014; and, for the company to provide an apology for the stress and inconvenience incurred.

The company's response is that:

- The company's position is that after an initial leak was found and repaired within the first few months of occupancy it has found no further leaks on the customer's water supply and the installed meter is working correctly and recording the customer's actual usage. As such, the metered charges from September 2014 to September 2017 are correct and are payable.
- Furthermore, the initial direct debit quoted by the customer was £23.00 per month, not £21.00 per month as stated within the customer's WATRS application.
- The Assessed Household Charge is not a tariff customers can apply for and it is not applicable unless an application has been made for a water meter and it is found the company are unable to fit one. However, in this instance the company as a gesture of goodwill applied the Assessed

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Household Charge from September 2017, which has reduced the customer's monthly payment to £26.40.

- Furthermore, a full explanation of the why the increase in the customer's direct debit from £23.00 to £65.00 was justified has been given within its dialogue with the customer.
- Furthermore, the company asserts it has provided a good level of service at all times throughout its dialogue. Therefore, the company submits it is not liable for any damages in this respect.

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 the company has failed to provide its services to the standard one would reasonably expect and 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 dispute centres on whether the company incorrectly charged the customer between September 2014 to May 2018. The company is required to meet the standards set out in OFWAT's Charges Scheme Rules and the Water Industry Act 1991.
2. Furthermore, the company also has certain obligations in respect of its customer services as set out in OFWAT Guaranteed Standards Scheme and the company's own Customer Guarantee Scheme.

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3. From the evidence provided by both the customer and the company, the customer moved into a new build property on 5 March 2014. The property was fitted with a meter and a direct debit was set up between the company and customer for £23.00 per month. I acknowledge that the customer has stated the direct debit was £21.00, however, the direct debit figure of £23.00 per month is evidenced by the email dated 28 February 2014 included as evidence folder 1 within the company's defence. Therefore, I find the direct debit figure is £23.00 per month and will be operating on this basis going forward. The evidence shows the customer initially contacted the company querying her high consumption shortly after moving into her property. Investigations followed and a leak was found on the water supply that was subsequently repaired by the company. The customer's bill for the period of the leak was amended to give a full leak allowance and the evidence shows the customer's query was resolved. From September 2014 to September 2017 the customer was billed basis her meter's recorded usage, which the company states remained at a consistent level, averaging 0.41m³ per day. The customer's direct debit was increased to £65.00 per month to cover the usage recorded after the leak had been repaired and the outstanding balance at that time. Between September 2014 and November 2017 various correspondence took place between the parties regarding bill amounts and direct debit queries.
4. The evidence shows that on 24 November 2017, the customer once again contacted the company querying her usage as she was of the view that she was being billed for a property containing three or more people not her single occupancy. The company undertook various investigations and found no leaks on the customer water supply. Also, a Water Audit was carried out during a visit to the customer's property on 13 January 2018 and it was confirmed the meter was recording the customer's actual usage. The evidence shows the customer's property does not contain a shower, only a bath and the customer's daily bath equates to 0.20 m³ – 0.25m³. Without the usage being used for the bath, the daily average of 0.41m³ would drop to between 0.16 m³ and 0.21m³ per day, which the company states is in line with low usage for a single occupancy property. After careful review of the evidence I am satisfied that the increase in the direct debit to £65.00 was indeed justified to cover the usage recorded after the leak had been repaired and the outstanding balance at that time. Therefore, I am of the view that the company's metered charges from September 2014 to September 2017 are correct and I find that no repayment or interest is due to the customer in this respect.
5. As above, having reviewed the evidence in full, I find the company's metered charges from September 2014 to September 2017 are correct and are payable. On the 6 June 2018, the customer was advised the company would from September 2017 charge on an Assessed

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Household Charge basis, which would mean the customer was being charged on an unmetered fixed charge. This would reduce the customer's direct debit to £26.40 per month. From the evidence put forward by the company, the Assessed Household Charge is only applied after a request for a meter has been made and the company is unable to either install the meter or use the meter for recording consumption at the property in question. I am satisfied the implementation of an Assessed Household Charge in the customer's case is more than justified particularly as no leaks were found on the customer's water supply, the installed meter was found to be working correctly and it was recording the customer's actual usage. Accordingly, I find I am unable to uphold the customer's claim to be billed on a lower rate than the Assessed Household Charge. Therefore, this aspect of the customer's claim is unable to succeed.

6. The customer has requested an apology from the company. Having carefully considered the various correspondence put forward in evidence, I am satisfied the company has not failed to provide its services to the customer to the standard to be reasonably expected by the average person as explained above. Therefore, I find the company is not required to provide an apology with regard to the metered charges.
7. The company has certain obligations in respect of its customer services. From the evidence provided I am satisfied that by the end of the company's dialogue with the customer, the company had adequately explained the reasons behind its metered charges and why it changed the customer's billing scheme to an Assessed Household Charge.
8. In light of the above, I find the customer has not proven the company failed to provide its services to the customer to the standard to be reasonably expected by the average person with regard to the metered charges, nor has the customer proved the company failed to provide services to the standard to be reasonably expected when investigating these issues. Furthermore, I am satisfied there have been no failings with regard to customer service as the company has provided a good level of service throughout its dialogue with the customer.

Outcome

The company does not need to take any further action.

What happens next?

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- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 28 December 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 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.



**Mark Ledger FCI Arb
Adjudicator**