

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-XX71

Date of Decision: 04/02/2021

Complaint

The customer claims that he notified the company in 2013 of his father's death and at the same time requested a meter to be installed at his property. However, the company took no action, and he remained on a Rateable Value tariff rather than an assessed charge until April 2020. The customer is seeking the company to backdate the assessed charge to August 2013 due to its failure to change the account into the customer's name and install a meter in 2013.

Response

Until March 2020 the company had not received any notification of the customer's father's death or a request to install a meter. Since 2013, the customer's property's unmeasured water bills had continued to be issued in the customer's father's name and were paid by, presumably, the customer. On 20 March 2020, following the annual unmeasured bill the company only then received contact from the customer requesting a name change due to his father's death in 2013 and a meter installation request. Delays in the installation survey occurred due to COVID-19 and to address this, the company applied the assessed charge from 20 April 2020 and paid £100.00 for its failures in customer service during this period. The company has not made any further offers of settlement.

Findings

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 concerning the account name change or the assessed measured charge, 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 concerning customer service, for which the customer has not already been adequately compensated.

The company needs to take no further action.

Outcome

The customer must reply by 04/03/2021 to accept or reject this decision.

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-XX71

Date of Decision: 04/02/2021

Party Details

Company: X Company

Case Outline

The customer's complaint is that:

- He notified the company in 2013 of his father's death and at the same time requested a metered tariff. However, the company took no action, and he remained on a Rateable Value tariff rather than an assessed charge. • The customer is seeking the company to backdate the assessed charge to 2013 due to its failure to change the account into the customer's name and install a meter in 2013.

The company's response is that:

- Until March 2020 the company had not received any notification of the customer's father's death or a request to install a meter. • Since 2013, the customer's property's unmeasured water bills had continued to be issued in the customer's father's name and were paid by, presumably, the customer. • On 20 March 2020, following the annual unmeasured bill the company only then received contact from the customer requesting a name change due to his father's death in 2013 and a meter request. • Delay's in the installation survey occurred due to COVID-19 and to address this, the company applied the assessed charge from 20 April 2020 and paid £100.00 for failures in customer service. • Accordingly, no further sums are due to the customer.

How is a WATRS decision reached?

In reaching my decision, I have considered two key issues. These are:

- Whether the company failed to provide its services to the customer to the standard to be reasonably expected by the average person.
- 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.

Customer: The Customer

How was this decision reached?

1. This dispute centres on whether the company failed to change the customer's account name and install a meter in 2013 when notified which led to the customer remaining on a rateable value tariff rather than an assessed measured charge.
2. The company must meet the standards set out in OFWAT's Charges Scheme Rules and the Water Industry Act 1991.
3. The company also has certain obligations regarding its customer services as set out in the OFWAT Guaranteed Standards Scheme and its Customer Guarantee Scheme.
4. From the evidence put forward by the customer and the company, I understand that the customer's father passed away in August 2013, and the customer took over the property as a second home. The customer says that the company was informed in 2013 of his father's death, and at the same time, he requested a change in his tariff to a metered tariff.
5. The company says that it never received this information, and it has issued various bills between August 2013 and March 2020. The bills were paid by either cheque or debit card, and up to 2020, there was no mention that the bills were issued to the customer's father rather than the customer. Therefore, the customer's account remained in his father's name until March 2020, when the customer once again contacted the company to request a meter and have the name changed on the account.
6. In March 2020, the company received the customer's application to have a water meter installed. I understand that there were some delays and errors with the meter installation survey. The company issued the meter application in the customer's father's name and also sent a text message in error to the customer's son concerning the meter survey appointment. The evidence shows that the company later credited the customer's account £60.00 to cover these failings.

7. Following a meter survey at the customer's property in July 2020, which was delayed due to COVID-19, I understand that the company could not install a meter and applied the assessed measured charge tariff to the customer's property. As a gesture of goodwill, the company advised the customer that, as it had failed to install a water meter within 90 days of the application, it would in this instance apply the assessed measure charge from 20 April 2020. However, it would not be able to backdate the assessed measured charge any further.

8. The evidence shows that the customer was unhappy with the company's position as he believed that the company should backdate the assessed measured charge to August 2013, as that was when he notified the company that he wished to have a meter installed.

9. The dispute could not be resolved, and the customer progressed the dispute to CCW in September 2020. However, the evidence shows that CCW was unable to resolve the dispute, with the final position being that the company increased its goodwill offer to £100.00. The customer remained unhappy with the company's final position, and on 5 November 2020 commenced the WATRS adjudication process.

10. Concerning whether the company was informed in 2013 of the customer's father's death and the customer's wish to have a meter installed at the property, the evidence shows that a notification letter was created on 19 August 2013 and a follow-up letter created on 25 September 2013. I have been provided with the content of the letters which show that they are both notifications of the customer's father's death and a request to change the name on the account. Neither letter mentions a request to have a meter installed at the property, however, the later letter does mention that he would like the company to take into account that "the usage is likely to be that of a property that is not continually occupied".

11. The company says that it never received either letter. The company has issued various bills between August 2013 and March 2020 and the bills were paid by either cheque or debit card. Up to 2020, there was no mention by the customer that the bills were issued in the customer's father's name rather than in his own name. On the balance of evidence, I find that whilst the letters were created, I cannot say with any certainty that the letters were received by the company without evidence of the letters being sent or received. In light of the above, I find the evidence does not show that the company failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning the account name change.

12. In any event, the receipt of the letters by the company does not have a bearing on whether the company should backdate the assessed measured charges to

August 2013. From the evidence put forward by the company, the assessed measured charge is only applied after a specific 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. The evidence shows that the company was unable to install a meter at the property. Therefore, the company was correct in applying the assessed measured charge at the customer's property after the meter application form was received in March 2020.

13. With regard to whether the previous rate charges from August 2013 to March 2020 were correct, the evidence shows that the customer was billed on a rateable value basis. The rateable value is based on the value of the customer's property, location, proximity to local amenities and was set in the 1970s by an independent District Valuer and the Local Authority. The company has two tariff systems in place - either the rateable value or a metered tariff - and the evidence shows that until March 2020 there was no evidence of a request for a meter to be installed. Therefore, I find the customer has been billed the correct rateable value tariff until it was established that a meter could not be installed.

14. In light of the above and after careful review of all the evidence, I find the company has not failed to provide its services to the standard one would reasonably expect concerning billing on rateable value until the point it was found that a meter could not be installed. The customer has suffered no loss or detriment, as soon as it was requested and then found that a water meter could not be installed, the customer was moved to the assessed measured charge. Furthermore, the company then as a gesture of goodwill backdated the assessed measured charge to April 2020. Accordingly, I find the company does not have to backdate its assessed measured charge from March 2020 to August 2013.

15. 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 the assessed measured charge and why it could not backdate the assessed measured charge to August 2013. Furthermore, in recognition of the lack of clarity in its customer service, in particular, issuing the meter application in the customer's father's name and sending a text message to the customer's son concerning the meter survey appointment, the company has made a goodwill credit of £100.00 to the customer's account. Accordingly, I am satisfied there have been no failings concerning customer service, for which the customer has not already been adequately compensated

16. In light of the above, I find that the evidence in this case does not show that the company failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning the assessed measured

charge or the account name change, nor does the evidence show that the company failed to provide its services to the standard to be reasonably expected when investigating these issues. Furthermore, I am satisfied that there have been no failings concerning customer service, for which the customer has not already been adequately compensated.

Outcome

1. The company needs to take no further action.

What happens next?

This adjudication decision is final and cannot be appealed or amended.

The customer must reply within 20 working days to accept or reject this final 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.

Mark Ledger
Adjudicator