

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S FINAL DECISION SUMMARY

**Adjudication Reference:** WAT-X415

**Date of Decision:** 09/06/2021

#### Party Details

**Customer:** The Customer

**Company:** X Company

#### Complaint

The customer complains that the company set up an account for him in error which has affected his credit score. He wants the company to close the account; take action to rectify his credit file; and pay him £500.00 for stress and inconvenience.

#### Response

The company says it is satisfied the customer is responsible for the account. It therefore denies the claim.

#### Findings

The customer has proven the company failed to provide its services to the standard to be reasonably expected.

#### Outcome

The company should pay the customer compensation in the sum of £150.00 for stress and inconvenience.

The customer must reply by 07/07/2021 to accept or reject this decision.

# ADJUDICATOR'S FINAL DECISION SUMMARY

**Adjudication Reference:** WAT-X415

**Date of Decision:** 09/06/2021

## Case Outline

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

He is homeless and does not occupy any property or use any water services. Despite this he received an alert on his phone regarding an account with the company. Payments have been missed on the account and this has affected his credit score. He has tried to resolve this with the company but it does not accept he is homeless. He has made a complaint to the Information Commissioner's Office that the company holds incorrect details about him. He is also unhappy with CCWater's handling of the matter. He wants the company to close the water account; take action to rectify his credit file; and pay him £500.00 for stress and inconvenience. The customer did not comment on the company's response.

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

It carries out checks to identify the occupier of a property, including information held on the electoral roll and credit searches. In January 2021 it identified the customer as the occupier of a property as he was registered for credit cards at the address and was on the electoral roll at the address. When the customer challenged this it asked him to provide evidence he was homeless which he refused to do. The customer said he only used the property for correspondence. It offered to disconnect the supply to the property if the customer could provide them with the owner's contact details. However he said he did not know who the owner was and had no obligation to provide their details in any event. It cannot close the account or cancel the charges given the customer's strong links to the property and in the absence of details of any other person responsible for the charges. It has recently identified the owner of the property and they have said the customer is a tenant at the property. It denies the claim.

## 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.

### How was this decision reached?

1. 1. It is not within my remit to comment upon the actions of CCWater. I can only adjudicate on the dispute between the customer and the company.
2. It is reasonable to expect the company to identify and charge the correct person for its services.
3. I consider it appropriate for the company to take steps to identify the occupier of a property and the person responsible for water charges through searches of third party data, as it did.
4. However, when the customer explained he was homeless and only used the address for correspondence, I consider the company should have taken further steps to identify the owner of the property and the correct person responsible for water charges.
5. It was not reasonable for the company to expect the customer to identify or provide details of the property owner. It was also not reasonable or appropriate for the company to ask the customer to prove he was homeless. I find the company failed to provide its services to the standard to be reasonably expected in this regard.
6. However, I am unable to find, even on the balance of probabilities, that the company created the account in error or charged the customer in error. This is because the company has received further information suggesting the customer may be responsible for any charges. I therefore find the customer has not proven a failing by the company in this respect.
7. I am satisfied the company's actions, in asking the customer for information about the property owner and his own status, caused the customer stress and inconvenience. However, as I have not found any other failing proven, I consider a relatively small payment is due. I therefore direct the company pay the customer £150.00 for stress and inconvenience. I consider this is in line with the WATRS compensation guide.

8. I cannot direct the company to close the water account or rectify the customer's credit file because the customer has not proven the company set up the account incorrectly.

9. I did not receive any comments on my preliminary decision. My decision remains the same.

### **Outcome**

1. The customer has proven the company failed to provide its services to the standard to be reasonably expected.

The company should pay the customer compensation in the sum of £150.00 for stress and inconvenience.

### **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.

- If you choose to accept this decision, the company will have to do what I have directed within 20 working days of the date in which WATRS notifies the company that you have accepted my decision. If the company does not do what I have directed within this time limit, you should let WATRS know.
- If you choose to reject this decision, WATRS will close the case and the company will not have to do what I have directed.
- If you do not tell WATRS that you accept or reject the decision, this will be taken to be a rejection of the decision. WATRS will therefore close the case and the company will not have to do what I have directed.

**Justine Mensa-Bonsu**  
**Adjudicator**