

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S Final DECISION SUMMARY

Adjudication Reference: WAT-X611

Date of Final Decision: 13 October 2021

#### Party Details

Customer:

Company:

#### Complaint

The customer says he made regular payments to his account however the company placed a default on his credit file. He wants the company to remove the arrears from his account.

#### Response

The company explains it provided correct information to credit reference agencies. The customer's credit report shows the balance due on his account until this is cleared.

#### Preliminary Findings

There is no evidence the company has given incorrect information to credit reference agencies. The customer has not proven the company failed to provide its services to the standard to be reasonably expected.

#### Preliminary Outcome

The company does not need to take any further action.

The customer must reply by 10 November 2021 to accept or reject this decision.

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# ADJUDICATOR'S FINAL DECISION

Adjudication Reference: WAT-X611

Date of Final Decision: 13 October 2021

## Case Outline

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

- He made regular payments to his account however the company placed a default on his credit file. He wants the company to remove the arrears from his account.
- In comments on the company's defence the customer explains he pays his quarterly bill in advance by making one payment each month. However, his credit report shows an amount is owing, even though the company accepts his paying this way. If he paid his bill quarterly in advance it would show that payments were up to date. He also complains the company has wrongly charged him £132 on his final bill and he wants these arrears removed.

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

- It has correctly reported arrears and late payments to credit reference agencies. It notes the customer raised a new complaint to CCWater however it had not considered this through its complaints process. It denies the claim.

## 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. The WATRS scheme rules make clear that a customer can only apply for adjudication after exhausting the company's complaints procedure and after CCWater has issued the customer with written confirmation stating that they can refer the dispute to WATRS.
2. I note the customer complained to CCWater about the data recorded on his credit file as he believed this was incorrect. The company then explained how the information was recorded on the file. CCWater were satisfied with this explanation. However, the customer then complained to CCwater that the company had made a further error on his final bill. He believed he closed his account with a nil balance however he received a final bill of approximately £132. I note CCWater did not consider this complaint prior to referring the customer to WATRS.
3. I cannot consider the customer's complaint regarding his final bill as this has not completed the company's complaints process or the CCWater process.
4. Regarding the customer's credit file, I note the company explained to the customer that his credit report shows the current balance due on his quarterly bill until it is paid in full. While the customer makes monthly payments, the full balance remains due each quarter. The company also explained when and how it recorded arrears in the past.
5. I cannot see any evidence that the company has recorded arrears on the customer's credit file in error. I find no evidence it failed to provide its services to the standard to be reasonably expected.
6. The claim does not succeed. The company does not need to take any action.

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7. In comments on my preliminary decision the customer maintains the company records arrears on his credit file due to his paying a quarterly bill on a monthly basis. However, the company has already explained these are not arrears showing on the credit file, simply the balance due for payment. In consideration of the parties' submissions and evidence, I maintain my findings. The customer has not evidenced that the company has recorded negative entries on his credit file in error. Rather the credit file shows the balance due for payment as it would for any bill.
8. The customer has also provided further information to support his complaint that the final bill issued by the company was incorrect. However, I cannot consider this matter for the reasons explained at paragraphs 2 and 3 above.

#### 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 10 November 2021 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.

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Justine Mensa-Bonsu LLB (Hons) PgDL (BVC)

#### Adjudicator

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