

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT-X734

Date of Decision: 6 February 2022

#### Complaint

The customer says that the company failed to properly notify her of bills for which she acknowledges she was responsible.

She requests that the negative markings relating to these bills be removed from her credit file.

#### Response

The company says that the bills were issued to the properties to which they related and the customer had previously paid those bills, so was on notice of where they were being sent. It says that the negative markings on the customer's credit file are accurate.

The customer has received a Guaranteed Standards Scheme (GSS) payment of £40.00 for two customer service failings.

#### Findings

The company provided 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.

The customer must reply by 7 February 2022 to accept or reject this decision.

*This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.*

# ADJUDICATOR'S DECISION

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Date of Decision: 6 February 2022

## Party Details

**Customer:** The customer

**Company:** The company

## Case Outline

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

- She paid the bills of two properties that she owned and rented.
- She had originally provided the company with her own address for payment of the bills for the properties, but the bills were sent to the rented properties.
- The customer did not pay certain bills as she was unaware that they had been issued, since they were not sent to her address.
- She contacted the company and paid the bills, but the company has placed negative markings on her credit file.
- She requests that the negative markings be removed from her credit file.

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

- The customer opened an account for Property **XX** on 5 April 2018.
- The customer confirmed at this time that she was responsible for water charges at Property **XX**.
- There is no record of the customer notifying the company that she was not an occupant of Property **XX** or requesting that bills be issued to a different address.
- Bills for Property **XX** were sent to Property **XX** and were paid by the customer.
- On 29 March 2019, the customer contacted the company because she had not received the latest bill for Property **XX**. A copy was sent to Property **XX**. The customer did not request that the bill be sent to her own address.

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- The company commenced placing negative markings on the customer's credit file relating to Property **XX** in June 2020 as a result of late payments.
- The customer opened an account for Property **XX** on 18 October 2018.
- The customer confirmed at this time that she was responsible for water charges at Property **XX**.
- There is no record of the customer notifying the company that she was not an occupant of Property **XX** or requesting that bills be issued to a different address.
- Bills for Property **XX** were sent to Property **XX** and were paid by the customer.
- The company commenced placing negative markings on the customer's credit file relating to Property **XX** as a result of late payments.
- The customer contacted the company on 5 January 2021 and the billing address for the properties was updated.
- The company says that it cannot remove the negative markings from the customer's credit file as they are accurate.
- The customer has received a Guaranteed Standards Scheme (GSS) payment of £40.00 for two customer service failings.

### 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 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.

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### How was this decision reached?

1. The customer acknowledges that she was responsible for the bills at both properties, but objects that the bills were sent to the properties rather than to her own address. She argues that as a result she was unaware that bills had not been paid, but that she paid them as soon as she became aware of them.
2. The customer says that when she opened the accounts she requested that the bills for the properties be sent to her own address, but that this was not done. The company says that it has no recording of such a request, and that recordings of phone calls from 2018 are no longer available.
3. Ultimately, while I accept that the customer believes that she made this request, she has provided no evidence of having done so. Moreover, even if it were accepted that the customer initially requested that bills for the properties be sent to her own address, but the company failed to do so, the company has confirmed that the customer repeatedly paid bills sent to the properties, and this has not been denied by the customer. The customer, therefore, was on notice that the company believed that the correct address for sending bills for the two rented properties was the address of those properties, rather than the customer's address, and this had become the accepted practice between the parties.
4. As a result, while I acknowledge that the customer has paid the bills in question, I do not find that there is evidence to justify a conclusion that the company failed to notify the customer of the bills in a manner appropriate to bring them to her attention. I find, therefore, that the negative markings placed on the customer's credit file by the company are accurate, and the company has not failed to provide its services to the customer to the standard to be reasonably expected by the average person by placing those negative markings or by refusing to remove them.
5. For the reasons given above, the customer's claim does not succeed.

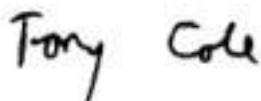
#### **Outcome**

The company does not need to take any further action.

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### What happens next?

- This adjudication decision is final and cannot be appealed or amended.
  - The customer must reply by 7 March 2022 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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**Tony Cole, FCI Arb**

**Adjudicator**

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