

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT/LU/X931

Date of Final Decision: 12 May 2022

#### Party Details

Customer:

Company:

#### Complaint

The customers say the company failed to bill them correctly for two years and is unfairly seeking a large payment to rectify this. They seek that the company waive the outstanding bill.

#### Response

The company accepts it should have billed the customers based on the actual meter readings or discussed why it decided not to do so sooner. It apologises for this. The bill is correct and payable however it offers a credit of £60.00, compensation of £100.00 and will agree a payment plan with the customers.

#### Findings

The evidence shows the company failed to provide its services to the standard to be reasonably expected.

#### Outcome

The company should credit the customers account in the sum of £60.00; pay them compensation of £100.00 and; discuss the options for a payment plan.

The customers must reply by 9 June 2022 to accept or reject this decision.

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## Case Outline

### **The customers' complaint is that:**

- They moved into their property in 2019.
- The company was concerned about the accuracy of the meter readings and so it billed the customers based on estimated readings until it could take an actual meter read. However, it did not let the customers know its concerns.
- This resulted in the customers receiving a high bill for backdated sums in April 2021.
- If the company had informed the customers of its concerns at the outset they could have confirmed the meter reading upon moving into the property and avoided a large back bill.
- The customers seek that the company waive the outstanding bill.
- In comments on the company's response the customers question why the company had concerns about the meter readings and why it considered it acceptable to bill them for two years on estimated readings. They disputed they should have to pay the "unfair charges".
- In comments on a preliminary decision the customers say the adjudicator did not check the company actually had concerns about the accuracy of meter readings; they dispute this with reference to further information and evidence. Further, if it indeed had concerns, it should have taken action, including by taking additional meter readings. They consider the decision outcome sets a bad precedent.

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

- It did take at least one meter reading per year in line with its Code of Practice however it did not apply these to the customers' bills as it was concerned about accuracy. It recognises it should have billed based on the meter readings or else contacted the customers to explain its concerns. It apologises for this shortfall in service.
- It also apologises for a delay in responding to an email from the customers.
- The outstanding bill is correct and owing. However it offers to:

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- credit the account with £60.00 to cover the period that the customers took ownership of the property but before they moved in;
- provide a £100.00 in recognition for the shortfalls in service; and
- assist the customers in setting up a reasonable and affordable repayment plan for the outstanding balance.

### 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.

### How was this decision reached?

1. The company accepts it did not bill the customers based on actual meter readings as it should have done or else raise its concerns with the customers sooner. I therefore find the company failed to provide its services to the standard to be reasonably expected. The reasons for the company's failing i.e. whether or not it had concerns about the accuracy of the readings taken, do not affect this finding. And, that the company may have taken other action to prevent this failing, such as by taking additional meter readings, also does not affect this finding.

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2. The customers seek that the company waive the bill as they consider the charges unfair. However, it is not in dispute that the company has since issued the customers with a bill which accurately charges them for water used and services provided. The company is therefore right to say the charges are correct and payable.
3. Where I find a failing by the company I must consider the loss or disadvantage caused to the customers. In this case the customers would have had to pay same amount whether the company billed them correctly from the outset or billed them later as in this case. However, because of the company's failing the customers have received an unexpectedly high bill that they may face difficulty paying and, they have suffered some distress and inconvenience. Bearing this in mind, and taking into account the WATRS compensation guide, I consider the remedy proposed by the company is reasonable. I therefore direct that the company credit the customers' account in the sum of £60.00, pay compensation of £100.00 for distress and inconvenience and discuss with the customers the options for a payment plan.
4. I have considered the customers' comments on a preliminary decision and addressed these at paragraph 1 above. I do not dispute there was a failing by the company but there are no grounds to consider a further remedy. My decision remains the same.

#### **Outcome**

The company should credit the customers' account in the sum of £60.00; pay compensation of £100.00 for distress and inconvenience and; discuss with the customers the options for a payment plan.

#### **What happens next?**

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 9 June 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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J Mensa-Bonsu LLB (Hons) PgDL (BVC)  
**Adjudicator**

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