

SPSO decision report

Case: 201800853, Clear Business Water
Sector: water
Subject: policy / administration
Decision: upheld, recommendations

Summary

Mr C complained that Clear Business Water unreasonably charged him for water services for his business. Mr C's company trades from two units (Unit 1 and Unit 2) and had been paying another water service provider for both units. A number of years later, Unit 2 was allocated by Scottish Water to Aimeria as a 'gap site' (a non domestic property that is connected to the Scottish Water Network and is yet to be registered. This means that although it is connected to the water system, the site has never been billed by a provider, as there are no records held for the property). Aimeria contacted Mr C several years ago with regards to billing but Mr C explained that he was already paying another provider for both sites.

Mr C heard nothing more for nearly two years, when he received correspondence from Aimeria regarding unpaid water charges. Clear Business took control of Aimeria later that year and continued correspondence with Mr C in relation to the water charges. We found that Mr C's invoices from his current water provider were confusing as they mentioned both units but in fact they were only providing a service for Unit 1. Although this was not the fault of Clear Business Water's, we found that their communication with Mr C had been inconsistent and confusing. Mr C did not receive any correspondence for nearly two years and he did not find out the basis of his liability for Unit 2's water charges until Clear Business responded to his complaint.

We found that Clear Business failed to provide a reasonable explanation of the liability for water charges and we upheld Mr C's complaint. However, we considered that Mr C had notice he was liable for services for Unit 2 when he was contacted by Aimeria about unpaid water charges and that it was reasonable for Clear Business to invoice from this date onwards. Any sums owed before that date, we recommended be written off.

Recommendations