

SPSO decision report

Case: 201303867, Business Stream

Sector: water

Subject: incorrect billing

Outcome: not upheld, recommendations

Summary

Mrs C complained that Business Stream had charged her for water at her business premises. She took the view that her lease meant that water charges were her landlord's responsibility, and pointed out that her unit had no direct water supply.

We found that although Mrs C may have been unaware that Business Stream were the default water supplier, this did not make the charges invalid. In addition, Business Stream had explained to her that, in line with their billing policy, although she had no direct water supply, the communal water supply (for example to the toilets) was apportioned among the tenants.

During our investigation, Business Stream provided us with a copy of their billing policy, which we found they had applied correctly. They had also considered Mrs C's lease, although they had taken an alternative view of its meaning. As only a court could give a ruling on the rights and responsibilities under the lease, and as Business Stream had taken the lease into account and acted in line with their policy, we did not uphold Mrs C's complaint. We did, however, make two recommendations.

Recommendations

We recommended that Business Stream:

- consider waiving their recovery charge; and
- take steps to ensure frontline staff provide accurate information about Business Stream's charges.