

The complaint

Mr J has complained about his building warranty provider Allianz Global Corporate & Specialty SE because it declined his claim for a defective flat roof.

What happened

Mr J became aware in 2023 that the flat roof at his property was defective – his neighbours had made successful claims for their roofs. He notified Allianz of a claim in September 2023. Allianz declined the claim because the policy had expired in February 2023. Mr J didn't think that was fair and complained to the Financial Ombudsman Service.

Our Investigator, having regard to the policy terms and relevant dates, felt Allianz' decision was fair and reasonable. So she didn't uphold the complaint.

Mr J felt that was unfair. He acknowledged that he had notified Allianz after the policy expired, but felt the roof should last for 50 years. His complaint was referred for an Ombudsman's decision.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I do understand that Mr J expected his roof to last a long time and that it's disappointing to know its defective. But in considering a complaint like this it is important to have regard to what the warranty offers cover for. The warranty isn't designed to ensure a property will be defect free, or even that parts of it will last for the whole of their expected life. Rather it provides certain cover in specific circumstances set out in the policy. If a claim sits outside of those specific criteria, then it won't succeed.

The Allianz warranty says it will indemnify the warranty holder for defects which are discovered and notified within the cover period. Here the cover period began in February 2013 and expired in February 2023. Mr J didn't notify Allianz of the claim until September 2023. So the defect wasn't discovered and notified within the cover period.

In the circumstances, I think Allianz' decision was fair and reasonable.

My final decision

I don't uphold this complaint. I don't make any award against Allianz Global Corporate & Specialty SE.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr J to accept or reject my decision before 13 August 2024.

Fiona Robinson

Ombudsman