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## Guide: Allowing for accidental damage

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[www.hamiltonfraser.co.uk/landlord-insurance](http://www.hamiltonfraser.co.uk/landlord-insurance)

## Allowing for accidental damage

Over the last few months our Total Landlord Insurance claims team has witnessed an increase in accidental damage claims.

'Accidental' means something that is both unforeseen and unintentional and usually occurs suddenly. A reasonable interpretation of the word 'damage' (as applied by the Financial Services Ombudsman) includes not only physical damage to an item but also something that resulted in a 'loss of function'. In other words, something that left it unable to perform the task it was designed to do. In the event of accidental damage to the building by tenants, it is the landlord's responsibility to pay for the repairs, so it is worth checking that your insurance policy provides adequate cover.

### What constitutes accidental damage?

Insurance providers offer different levels of cover for accidental damage and this could affect the outcome of a potential claim, so it is important that you understand fully how your insurer defines accidental damage before agreeing to a policy.

Accidental damage usually includes things like a ball being kicked through the window or banging a nail through a water pipe when trying to hang a picture. It may include accidentally plunging through the ceiling when up in the attic. One of the most common causes of accidental damage we see at Hamilton Fraser Total Landlord Insurance occurs due to a tap being left running unattended. 12% of claims in 2016 were the result of accidental damage, a large

proportion of which were caused by tenants leaving taps running unintentionally.

For example, in one case the tenant left the property and came back to discover the ground floor flooded in three inches of water. The tenant had accidentally left the bath taps running and the bathtub had overflowed. As a result water seeped through the walls and ceilings, affecting the electrics and causing extensive damage to kitchen units below and ground floor ceilings. The bathroom tiles, floorboards and joists also needed replacing, rendering the bathroom unusable and the property uninhabitable. Hamilton Fraser's Total Landlord Insurance reimbursed the landlord £8,000 for building repairs.

### What is not usually covered by accidental damage insurance?

Accidental damage insurance protects against genuine accidents, but which specific incidents are included will vary from one insurer to another. There are a few things that are not usually covered by accidental damage insurance, such as:

- Damage to contents
- Damage caused by pets
- Defective design or workmanship
- Damage to the buildings arising from

### How can you reduce the risk of accidental damage by your tenants?

Accidental damage is, by its very nature, hard to avoid and accidents will of course happen, but landlords can help minimise the risk of accidental damage by taking certain steps.

#### **Vet your tenants properly and check their references thoroughly**

Make sure that you or your agent has a proper chat with prospective tenants, so that you can get a good idea of what they do and what they are like.

#### **Establish a good working relationship with your tenants**

Responding to your tenant's questions or concerns in a timely manner and ensuring that repairs are made as soon as possible will keep tenants happy and encourage them to look after your property.

#### **Thoughtful design can help to minimise the risk of accidental damage**

Opt for durability when selecting floor coverings, worktops, bathroom suites etc.

#### **Ensure that the property is kept in good repair**

This will reduce the likelihood of tenants attempting to carry out their own DIY, a common cause of accidental damage.

#### **Take extra precautions if your property is in an area that is prone to malicious damage**

Choose reinforced windows, place a lock on the garden gate, fit a prominent security system.

### Ensure that you are covered for accidental damage

Our advice to landlords is to accept that accidents do happen and ensure that your insurance covers accidental damage as this is not usually offered as standard. Hamilton Fraser's Total Landlord Premier Insurance includes protection from both accidental and malicious damage caused by tenants. Whilst accidental damage to contents is not covered, as long as the property is adequately insured at the correct sum insured, our Premier Insurance will cover damage to the buildings should an accident happen.

You can contact the Total Landlord Insurance claims team on **0345 310 6370** to find out more.

For more resources and advice, please go to our website  
<https://hamiltonfraser.co.uk/knowledge/>

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