

The complaint

Mrs L complains that Zurich Insurance plc unfairly declined her claim on a motor insurance policy.

What happened

The subject matter of the claim and the complaint is a sports utility vehicle or estate car, first registered in 2014.

In September 2021, Mrs L had the car insured on a comprehensive policy. She was the policyholder. The policy didn't cover any other driver. Zurich was responsible for dealing with any claim.

In September 2021, Mrs L reported that, after she'd lent the car to a friend, it had been badly damaged by fire.

Mrs L is represented by an insurance consultant. Where I refer to Mrs L, I may include her representative.

Mrs L complained to Zurich that it should pay the claim.

Much of the complaint is about acts or omissions by claims-handlers on behalf of Zurich. Insofar as I hold Zurich responsible for such acts or omissions, I will refer to them as Zurich's.

By an emailed letter dated 24 November 2021, Zurich apologised for the time taken to reach a decision. Zurich turned down the claim because Mrs L's friend had been the last person in charge of the car.

By a final response dated 25 November 2021, Zurich turned down the complaint about the claim. But it said it would pay the storage charges for the damaged vehicle (and this would be "*reflected against the claims history*"). Zurich said that it was sending Mrs L £200.00 compensation for the delay in communicating its decision.

Mrs L brought her complaint to us in late January 2022. But there was a delay until April 2023 before she provided a "wet" signature to the complaint form.

Our investigator didn't recommend that the complaint should be upheld. She thought that Zurich had treated Mrs L fairly.

Mrs L disagreed with the investigator's opinion. She asked for an ombudsman to review the complaint. She didn't provide any further information.

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 have no reason to doubt Mrs L's statement that her friend had his own vehicle and insurance which gave him cover - for third party risks - to drive other vehicles (which would include hers).

I have no reason to doubt Mrs L's statement that her friend had temporarily left the car parked and unattended in a lay-by mid-journey before it caught fire.

However, Mrs L's policy didn't cover her friend. And he was the last person to drive the car and he was in charge of it when it caught fire. So – while I understand the scale of her loss - I don't consider that Zurich treated Mrs L unfairly by declining to pay her claim.

My final decision

For the reasons I've explained, my final decision is that I don't uphold this complaint. I don't direct Zurich Insurance plc to do any more in response to this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs L to accept or reject my decision before 16 December 2023.

Christopher Gilbert

Ombudsman