

The complaint

Mr J complains about how Liverpool Victoria Insurance Company Limited ("LV") handled a claim under his motor insurance policy.

What happened

Mr J had a motor insurance policy in 2018 with LV covering his van.

In 2018 his van was stolen. LV accepted it had been stolen, but it refused to pay the claim as the keys Mr J provided to it didn't seem to belong to it.

Mr J complained and brought his complaint to this service at the time. An ombudsman looked into it and didn't uphold it. She thought LV had acted fairly in investigating the theft and had instructed a forensic key expert who provided evidence supporting it. She decided that LV had reasonably rejected the claim.

In late 2022 Mr J's van was found and recovered. The key he had sent to LV was shown to operate the van, meaning that LV's decision to reject his claim wasn't valid.

He complained to LV about the four years it took to handle his claim. He asks for compensation and said its incorrect decision had caused him many personal problems including a great deal of stress and inconvenience. LV offered him £100 but Mr J rejected this as insufficient.

LV didn't provide him with a final response within eight weeks, so he brought his complaint to this service.

Our investigator looked into it and didn't uphold it. He thought LV had acted fairly in rejecting Mr J's claim based on the information it had, and this was backed by the ombudsman's decision in 2018. So he didn't think LV should pay compensation to Mr J.

Mr J didn't agree with the view. He asked that his complaint was reviewed by an ombudsman, so it has been passed to me to make a final 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.

Having looked at the evidence I've been supplied, I'm not upholding Mr J's complaint. I do appreciate this will be a disappointment to him and I'll explain why.

I've read about what happened with Mr J's van when it was stolen in 2018. There seemed to have been a great deal of confusion at the time because he was able to provide two keys he used for different purposes on his van, but when analysed by LV's forensic key expert, their report suggested that neither key was able to be used to start the van.

What this meant was that LV believed it was stolen using another key and it thought that key

had been left on or near the van. So it rejected Mr J's claim.

I've said above that our ombudsman didn't uphold his complaint. She decided on balance that LV hadn't treated Mr J unfairly in rejecting his claim on the information it had.

I can see that the van has now been recovered and Mr J is seeking compensation for distress and inconvenience. I don't doubt that Mr J has had to deal with a range of problems from what took place with his van in 2018, but it's my role to assess whether LV is reasonably responsible for causing them.

I've thought about Mr J's situation very carefully and I can't fairly say his distress is fairly the result of LV's actions. LV took a decision in 2018, which was upheld by an ombudsman reviewing the information available. That means LV acted fairly and reasonably and in line with the policy terms and conditions.

So I can't reasonably say LV are responsible for the impact that decision had on Mr J in the intervening years.

My final decision

For the reasons set out above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr J to accept or reject my decision before 26 October 2023.

Richard Sowden
Ombudsman