

## The complaint

Mr B is unhappy with the decision made by Covea Insurance Plc (Covea) following a claim made under his car insurance policy.

## What happened

Mr B took out a car insurance policy with Covea. The general policy conditions explained:

***You must take all reasonable steps to:***

- *prevent loss of or damage to any vehicle insured by the policy;*

The policy conditions for theft explained:

***What we can't cover you for***

*8 Theft or attempted theft while nobody is in your car, unless all the doors, windows and other openings are closed and locked, the keys are removed, and the alarm is set (if you have an alarm)*

In June 2019 Covea received notification of theft of Mr B's car. The circumstances of the theft were reported by a named driver on Mr B's policy. It was recorded that Mr B's car had been stolen from a hotel car park. The named driver confirmed Mr B would be in touch to discuss his claim in more detail.

Mr B later contacted Covea. Mr B said that he had parked his car in a hotel car park. While at the hotel there was an incident which resulted in Mr B being sectioned under the Mental Health Act. Mr B said he was being held due to domestic reasons. Mr B said he would have used the car key to lock his car. He couldn't confirm where his car keys were as he no longer had them. Mr B said his car had a tracker app which had given a location for where it was. Mr B said the police arranged for a helicopter to go out and attempt to locate his car, but he wasn't aware of the outcome of the search.

Covea contacted the police to obtain a copy of the police report. The police report didn't evidence any investigation of the theft in the way that Mr B had described. Covea interviewed the named drivers on the policy for more information about the circumstances of the theft. Following Covea's investigation, it was determined that Mr B was unable to provide key evidence, such as the car keys, invoice for the hotel Mr B was staying at, and the tracking information he had referred to at the start of the claim to evidence the location of his car at the time of the reported theft.

Covea informed Mr B that with the evidence available, it wouldn't be paying out under Mr B's policy, as there wasn't enough evidence to support that the policy terms for theft had been reasonably met. Mr B was asked to provide the additional evidence requested by Covea if he wanted them to further consider his claim. This included evidence of him reporting his car keys missing to the police. Mr B was unhappy with this response, and brought his complaint to the Financial Ombudsman Service.

The investigator found that Covea had acted reasonably in reaching their decision to decline Mr B's claim on the basis that they didn't have what they needed to say that the claim terms had been met. Mr B asked for his complaint to be referred to an ombudsman.

As the complaint couldn't be resolved, it has been passed to me for 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'd like to reassure the parties that although I've only summarised the background to this complaint, so not everything that's happened or been argued is set out above, I've read and considered everything that's been provided.

When we investigate a complaint about an insurer's decision on a claim, our role is to consider whether the insurer handled the claim in a fair and reasonable manner. So I've considered the evidence to determine whether Covea have acted fairly and reasonably in reaching their decision on Mr B's claim.

Having reviewed the evidence I don't think Covea need to do anything more in settlement of this complaint. I can understand this is likely to come as a disappointment to Mr B but I hope my findings go some way in explaining why I've reached this decision. I've focused my comments on what I think is relevant. If I haven't commented on any specific point it's because I don't believe it has affected what I think is the right outcome.

I've considered the claim history, and the additional evidence requests to progress Mr B's claim. In doing so I think the request for additional evidence to support the circumstances of the reported theft, including evidence of car keys, and tracking information for Mr B's car, is reasonable, and in line with what we'd expect for a claim of this type.

Mr B provided a detailed testimony about the investigation completed by the police in searching for his car after it was reported stolen. But the police report provided to Covea didn't support this. It's not unusual for there to be inconclusive evidence to verify the exact circumstances of how a theft happened. Covea requested additional supporting evidence to investigate what had happened.

When questioned about the keys for his car, Mr B has explained that these were likely stolen at the same time that his car was taken. Covea have asked for evidence of Mr B reporting theft of his car keys. But this hasn't been provided. At the start of the claim, Mr B referred to a tracking device on his car. But he hasn't been able to provide any details of this to support his testimony about the location of his car at the time of the reported theft.

I've carefully considered Mr B's circumstances. It's evident Mr B was going through a difficult time, and it wouldn't be unusual to expect Mr B's recollections to be limited, or confused. Keeping this in mind, I've considered the actions taken by Covea to investigate Mr B's claim. And I'm satisfied that these actions have been fair, proportionate, and in line with the policy terms. And so the decision to decline Mr B's claim is reasonable.

I appreciate Mr B's disappointment with this outcome. This situation has clearly left Mr B feeling stressed, upset, and financially out of pocket. But I can't ask Covea to pay for the claim, given the evidence that's been provided, and uncertainty surrounding the claim

details. I haven't seen any evidence to persuade me that Covea's actions have been wrong, or unfair. So I won't be asking Covea to do anything in response to this complaint.

### **My final decision**

For the reasons provided I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 8 December 2023.

Neeta Karelia  
**Ombudsman**