

The complaint

Miss B is unhappy CIS General Insurance Limited has turned down her claim under her car insurance policy for the theft of her car. She also thinks it has fabricated a policy number to avoid paying her claim.

What happened

Miss B notified CIS of the theft of her car in October 2019. She said it had been taken without lawful authority by the police.

CIS turned down Miss B's claim for theft. It said her car hadn't been stolen, it had been seized by the police and this wasn't unlawful.

Unhappy with this decision, Miss B complained to CIS. She also complained CIS wrote to her using a different policy number from the one on her certificate of motor insurance. She says this has been fabricated to avoid paying her out.

When CIS didn't uphold Miss B's complaint, she came to us. The investigator who looked at Miss B's complaint didn't uphold it. He thought CIS had acted within the terms and conditions of Miss B's policy in turning down her claim. And he didn't think CIS had fabricated a policy number.

Miss B doesn't agree and so her complaint has come to me to decide.

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 done so, I've decided not to uphold Miss B's complaint. I know this will disappoint her but I hope the reasons I'm about to give help her to understand why I've reached this conclusion.

When looking at Miss B's complaint, my role is to decide if CIS acted fairly and reasonably in turning down Miss B's claim for theft. My starting point is Miss B's car insurance policy. The policy document I've seen says CIS will cover Miss B for the loss of her car caused by theft.

CIS says Miss B's car hasn't been stolen but has been seized by the police. It says this is lawful and so isn't theft.

In turning down Miss B's claim, I can see CIS looked at the police's vehicle seizure notice. The seizure notice gives the registration number, make and model of the car that was seized. These details correspond to the details of the car on Miss B's V5 document and on

her insurance policy. The seizure notice also gives the name of both the insurer (CIS) and the policyholder (Miss B) along with the car insurance policy number that's on Miss B's certificate of motor insurance.

From internal records CIS has shown us, I can see CIS contacted the police about the seizure of Miss B's car. The police told CIS the car was seized because it was being driven by a member of Miss B's family who wasn't insured to drive and who didn't have a valid driving licence.

I think it was fair and reasonable of CIS to rely on the information I've set out above to decide Miss B's car had been lawfully seized by the police. And it follows from this that I think it was fair and reasonable, and in line with Miss B's policy terms, for it to turn down her claim for theft.

I should say that, in looking at the information I have on Miss B's complaint, there are discrepancies between what's in the police's vehicle seizure notice and what's in the covering letter it seems the police sent Miss B with the seizure notice. The police covering letter (which, curiously, pre-dates the seizure date) refers to a seizure date, a car registration and a seizing police officer that are different to those set out in the seizure notice in this complaint.

I don't understand these discrepancies. I think this is something only the police could explain and so Miss B will need to contact them if she's still concerned. But these discrepancies don't change my findings in this complaint, since the details of the car that was seized match those of the car that was insured under Miss B's car insurance policy.

Like our investigator, I think CIS has given a reasonable explanation of why there are two policy numbers associated with Miss B's car insurance. One was created by the broker on its system when Miss B bought her policy. The other was created by CIS, as Miss B's insurance underwriter, to identify her policy on its separate system. I've seen no evidence that a policy number has been fabricated by CIS.

My final decision

For the reasons I've given, I don't uphold Miss B's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss B to accept or reject my decision before 11 August 2020.

Jane Gallacher
Ombudsman