

## **The complaint**

Mr A has complained about esure Insurance Limited. He isn't happy about the way it dealt with a claim under his motor insurance policy.

## **What happened**

Mr A made a claim under his motor insurance policy after his car was involved in an accident colliding with a third party. When esure looked into the claim for him it paid a cash settlement in relation to the body work that was damaged. But Mr A wasn't happy about this as he felt there was mechanical damage as well in relation to his rear suspension that was caused by the accident.

When he complained to esure about this it maintained its position. It said its engineer had looked at Mr A's car and as mechanical damage wasn't identified it thought its position was reasonable. So, Mr A complained to this Service.

Our investigator looked into things for him and partly upheld his complaint. She thought esure didn't have sufficient evidence to say that Mr A's car didn't sustain any mechanical damage. She initially suggested that esure should look again at Mr A's car to assess the suspension/wheel alignment problem. But Mr A had sold the car given the passage of time and had paid for the suspension problem in order to get the car through its MOT and to subsequently sell the car. So, she thought the fair and reasonable thing to do was for esure to pay half the cost Mr A incurred in paying to rectify the suspension problem.

As esure didn't agree the matter has been passed to me for review.

## **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 think the complaint should be partly upheld. I'll explain why.

Although I can understand why esure thought the damage to Mr A's car was only in relation to the body work initially, I don't understand why its initial engineer didn't ensure the mechanical issue was considered alongside the damaged bodywork. I say this as Mr A made it clear he also had a mechanical problem in relation to his rear suspension/wheel alignment and its possible that this was caused by the accident and the impact between the two cars involved. But when esure's engineer inspected Mr A's car they only undertook a cursory external check outside Mr A's address as they didn't have the keys to the car. And this was despite esure's instruction which said that the car needed to be booked in for a wheel alignment check as well.

It is possible Mr A's car had a wheel alignment or suspension problem that was caused by the accident and the fact that his car wasn't fully inspected means I can't be sure one way or the other about this. It is possible the car did have mechanical damage as well as body work damage caused by the accident. Indeed, when Mr A provided some evidence in support of

his position to this Service (suggesting his car had a possible suspension issue) esure's engineer acknowledged that this was a possibility. And in his initial engineer's report he acknowledged some wheel damage and that some wheel alignment documentation would be necessary in order to consider this possibility further. So, it is surprising esure didn't get Mr A's car inspected in relation to possible mechanical damage at this point in time if not earlier.

Mr A has gone onto get his car fully repaired in order to pass its MOT and to sell his car which is understandable, but it also makes it difficult to establish for sure if his suspension problem was linked to the accident or not. However, esure's engineer did suggest this was a possibility and esure specifically asked for this issue to be considered (including getting a wheel alignment report) when it approached the engineer. And given this I agree with our investigator that the fair and reasonable thing to do, in the particular circumstances of this case is for esure to pay half of the cost Mr A incurred in paying to have his suspension problem repaired before selling his car (£900 in total).

I think this feels fair given Mr A said there was a problem after the accident with the wheel alignment of the car and esure didn't fully get to the bottom of this. And esure's engineer highlighted that there may be other steps that could be taken to help with the alignment problem which would have been cheaper. So, paying half of Mr A's costs here, plus 8% simple interest for the time Mr A has been without the money, feels fair. I note esure have questioned Mr A's repair invoice and the total he paid to repair his car which included the body work damage. But Mr A has explained the garage made an error on the invoice which seems reasonable and it is clear that a suspension or wheel alignment problem was identified during the early stages of the claim.

### **My final decision**

It follows, for the reasons given above, that I uphold this complaint. I require esure Insurance Limited to pay Mr A £900 plus 8% simple interest from the date the cost was incurred until the date of settlement.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 15 June 2023.

Colin Keegan  
**Ombudsman**