

The complaint

Mr H complains that Fortegra Europe Insurance Company Ltd has declined a claim he made under his furniture insurance policy.

Reference to Fortegra includes its representatives and agents.

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.

Our investigator thought Fortegra had acted unfairly and should pay £150 to put things right. I agree, and for the same reasons, so I don't think there's a benefit for me to go over everything again in detail. Instead, I'll summarise the main points:

- Mr H has an insurance policy, underwritten by Fortegra, that provides cover for accidental staining. This is defined in the policy to mean, amongst other things, 'sudden, unforeseen and unintentional spills to the outer cover of the item of food, drinks ... which result in a stain'.
- In the event of such staining, the policy covers the cost of repair or replacement.
- Mr H got in touch with Fortegra to claim for staining for a three seater sofa and a single chair. He said his children had spilt food and drink all over the furniture. Fortegra's technician inspected the staining and declined the claim because they said the staining had built up over time and didn't meet the policy definition.
- Mr H then arranged for a different technician to look at the single chair and I understand they cleaned the staining to his satisfaction. He said they also thought the three seater sofa should have been cleaned too, but I haven't seen any evidence from the technician to support that. Mr H asked Fortegra for the second technician to look at the three seater sofa, but it didn't agree to do so. It said it had already declined the claim for that staining and wouldn't consider it again. Mr H then found he was unable to access the customer portal for around two months, which Fortegra accepted amounted to poor service.
- I've looked at the report Fortegra provided from the first technician. It said the staining was widespread, overlapping in places, and varied in colour and intensity. So they thought the stains had built up over time. However, I'm not persuaded the photos in the report support these comments. Also, the comments are very brief and don't explain why the staining couldn't have been caused in the way Mr H described.
- I understand Mr H has claimed on the policy previously and had many claims accepted. So, on balance, I think it's likely he would have reported any further damage at the time it happened, rather than letting it build up, as he was well aware of the policy and its benefits if he were to claim promptly.

- Overall, for the reasons given, I'm not satisfied Fortegra acted fairly when it declined the claim.
- It's unclear why Fortegra would decline the staining to the single chair, later accept it, but not reconsider the three seater sofa. And, as a result of the way it handled the claim, it's taken longer to resolve and required more input from Mr H than I'd expect.
- He's since cleaned the remaining stains and paid for products to do that. And I think he's suffered some avoidable distress and inconvenience. I'm satisfied a payment of £150 compensation is a fair and reasonable remedy to the complaint.

My final decision

I uphold this complaint.

I require Fortegra Europe Insurance Company Ltd to pay £150 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 5 February 2025.

James Neville
Ombudsman