

The complaint

Ms K complains about Liverpool Victoria Insurance Company Limited (LV), following its response to her insurance claim.

What happened

Ms K is a landlord and has insurance with LV. In June 2024 she submitted a claim to LV for damage to the dining and kitchen walls of the insured property. Ms K believes the damage was covered by her insurance.

When LV looked into the claim its contractor believed the damage was a result of poor external maintenance, with visible external defects. It thought there was no evidence of any defective concealed pipework causing the damage. As a result, LV declined the claim. Its contractor did however set out what Ms K needed to do to prevent further damage.

Ms K was unhappy the claim had been declined and was also unhappy with delays and other service issues.

The investigator didn't recommend the complaint be upheld. She thought that the insurer's report was more compelling given the level of detail provided than the evidence provided by Ms K. She didn't think LV was wrong to decline the claim and she also didn't see any evidence that the claim had been poorly handled.

Ms K has asked for an ombudsman's decision. She doesn't think she should have to pay for a specialist report and thinks the ombudsman should consider the evidence impartially and not side with the insurer.

What I have 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.

At this service we are not experts in property repair. So, we look to the evidence of experts when deciding. When the experts disagree we review everything and consider what we find to be most persuasive. In the case of Ms K's claim, I have two pieces of evidence to look at. One (that provided by LV) is detailed, includes photographs and meter readings and a clear explanation. The other (provided by Ms K) does not have this level of detail or clear reasoning.

The investigator explained in detail why she was persuaded by LV's contractor's report. Ms K had the opportunity to get a more detailed and clearer report but has not chosen to do so. I do not see any reason therefore to depart from the investigator's findings regarding the persuasiveness of the reports.

As I am persuaded by LV's report and this report put the damage down to poor external maintenance I must consider whether LV was then right to decline the claim. Under the terms of the policy Ms K must ensure that care is taken to maintain the property insured in a

good condition. Given LV's report states the damage was caused by poor external maintenance I cannot say that LV was wrong to decline the claim.

Ms K is also unhappy with the length of time taken to consider the claim and what she regards as a dismissive attitude shown. There were some issues with LV's handling of the claim, for example with regard to the tenant's number and a call back, but LV has apologised and taken the feedback on board. I think this is a reasonable response. Overall, I am satisfied that the claim was handled in a timely manner and that from the evidence I have seen the interactions between LV and its contractor and Ms K has been professional and polite.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms K to accept or reject my decision before 25 April 2025.

Nicola Wood
Ombudsman