

The complaint

Mr N has complained that Assurant General Insurance Limited (Assurant) unfairly declined a claim under his mobile phone insurance policy.

What happened

Mr N made an online claim for a stolen mobile phone. The online form asked Mr N whether the device was also covered on another policy and whether a claim had been made on the other policy already. Mr N answered yes to both questions. Assurant's system immediately rejected the claim and referred Mr N to the policy terms and conditions.

When Mr N complained, Assurant maintained its decision to decline the claim. It said Mr N had said the device was covered on another policy and he had made a claim on that policy. It quoted its policy terms on fraud and fraud prevention.

Mr N complained to this Service. Our Investigator didn't uphold the complaint. He said Mr N had confirmed the phone was covered on another policy and that he had already made a claim. Under the policy, Mr N needed to be put back in the position he was previously in, but not a better one by receiving duplicate payments. If Assurant accepted the claim, Mr N would receive two payments for the same claim. Although the process might have seemed abrupt, the evidence showed that Assurant had clear information that Mr N had already claimed elsewhere. Mr N had also said he thought his ethnicity might have influenced the decision. Our Investigator said he was confident Mr N had been treated in the same way as other customers in the same circumstances and that his ethnicity wasn't the reason for the claim decline.

As Mr N didn't agree, the complaint was referred to me.

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 don't uphold this complaint. I will explain why.

Mr N filled out an online claim form. He was asked various questions about the claim, including "*Is device covered on other policies?*" and "*Have you claimed on another policy already?*". Mr N answered yes to both these questions. Assurant's system then automatically declined the claim. I'm aware Mr N was shocked that his claim was immediately declined.

When a claim is made, I don't think it's unusual for an insurer to ask about whether the policyholder has other cover for the same incident or whether another claim has been made for it. The mobile phone policy was one of indemnity. This meant Mr N needed to be put back in the position he was in immediately before the claim. But Mr N told Assurant he had already made a claim under another policy for the same incident. This meant Assurant's systems automatically declined the claim. This was because Mr N wasn't entitled to two separate payments in full for the same incident. If this happened, he wouldn't just have been

returned to the position he was in before the claim, he would have profited from it. In some circumstances, making two successful claims could be considered fraud.

Having looked at what happened, I think it was reasonable that Assurant declined the claim based on the information Mr N had provided. When the claim was declined, Mr N was directed to Assurant's terms and conditions, but he still wasn't clear on the reason for the decline. So, he complained to Assurant about the claim decline. In its complaint response, Assurant explained that Mr N had answered yes to the two questions about other insurance and claims. It then referred to the fraud terms in the policy. I note that I haven't seen evidence that Assurant said it thought Mr N's claim was fraudulent. However, I can understand that Mr N might have understood it in this way given Assurant quoted the fraud wording. However, it said it didn't uphold the complaint and that *"This is because after careful review of your claim, you have confirmed you have already claimed for this incident on another policy"*. It said it had correctly declined the claim.

Mr N continued to ask Assurant why his claim had been declined. He was then told *"As you have confirmed you have already claimed for this incident on another policy we would not look to accept and fulfil a second claim"*. Mr N contacted Assurant again to say he now understood that Assurant was telling him he couldn't make a claim under more than one policy.

Mr N then asked Assurant to explain what part of the policy terms and conditions it was relying on to say he couldn't make two claims for the same incident. Assurant didn't specifically answer this question. But, I should note that I wouldn't necessarily expect an insurance policy to provide a detailed description of how the broader principles of insurance work. I'm satisfied Assurant told Mr N why the claim had been declined and Mr N acknowledged he was now aware of this.

Mr N also told this Service he thought Assurant might have declined the claim due to his ethnicity. Given how quickly the claim was declined and the limited information Assurant provided to Mr N about why this was the case, I can understand why he might have thought this was the reason. However, I've looked at what happened and I'm satisfied the claim was declined because of how Mr N answered the two claim questions. I'm also satisfied that Assurant didn't treat Mr N or his responses to these questions differently to how it would treat other customers. I've seen no evidence that Assurant declined the claim due to Mr N's ethnicity.

So, having looked at what happened, I don't uphold this complaint or require Assurant to do anything else in relation to it. Based on what I've seen, Assurant fairly declined the claim because Mr N confirmed he had already made a claim for the same incident. It also provided Mr N with the correct information about why his claim had been declined.

If Mr N has evidence he didn't make a successful claim under another policy or is concerned he had dual insurance, he would need to raise this with the appropriate business so it can consider it.

My final decision

For the reasons I have given, it is my final decision that this complaint is not upheld.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr N to accept or reject my decision before 7 January 2026.

Louise O'Sullivan

Ombudsman