

complaint

Mr K's unhappy that Aviva Insurance Limited didn't provide a courtesy car when he made a claim on his motor insurance policy and he thinks its offer of £15 a day loss of use isn't enough.

background

Aviva said in its final response that it only used one company for the provision of hire cars. Here there were past issues between that company and Mr K and it wouldn't provide him with a hire car. Aviva has therefore offered Mr K eight days loss of use at £15 a day.

Our adjudicator felt this complaint shouldn't be upheld. He said:

- Aviva apparently arranged a courtesy hire car for Mr K. But when he went to collect it the hire company refused to give Mr K one as he was on that company's "do not rent program". That isn't something Aviva is in control of or can be held responsible for.
- Aviva has offered to pay Mr K £15 a day to cover loss of use. We'd normally recommend £10 a day, in line with what the courts usually award. So, Aviva's offer is fair and reasonable.

Mr K remains unhappy and has asked for an ombudsman review.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I agree with the adjudicator's conclusions for the same reasons.

I think Aviva acted fairly and in line with its obligations under the policy by arranging for a hire car for Mr K from the third party hire company. And it's not Aviva's fault if that company had had issues with Mr K in the past which resulted in it refusing to provide him with a car.

Because of this Aviva has offered to pay Mr K £15 a day loss of use for the eight days. I think that is fair and I don't think I can reasonably ask Aviva to do or offer any more.

Overall, I don't see any compelling reason to change the proposed outcome in this case. I simply leave it to Mr K to decide if he now wants to accept Aviva's offer of a total payment of £120 for loss of use.

my final decision

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 31 January 2020.

Stephen Cooper
ombudsman