

complaint

Mr H complains that Tradewise Insurance Company Limited declined the claim he made under his motor insurance policy following the theft of his car, on the basis that one of its original keys was missing.

background

Mr H's car was stolen in January 2013. When he sent his keys to Tradewise, as requested, it concluded that one of them was an original key but appeared to have been used as a spare. The other was manufactured in 2012, two years after Mr H bought his car (new) from a dealer. In addition, the second key appeared never to have been programmed to the car. Mr H maintained that these were the only keys he had ever had, but Tradewise concluded that an original key was missing and may have been used to steal Mr H's vehicle.

Our adjudicator did not uphold the complaint. In his view, the evidence was such that it was reasonable for Tradewise to decline Mr H's claim.

Subsequently, Mr H ordered another key from the manufacturer, which appeared to be identical to the other keys he held. Tradewise had the key examined, but following a report from its expert assessor, remained of the view that the claim was declined fairly.

As there was no agreement, the complaint was passed to me for review.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

In my view it was reasonable for Tradewise to expect Mr H to provide it with the original keys for the vehicle, in order to establish that it was not stolen using one of those keys. Tradewise has produced evidence to show that one of the keys had very little wear and tear on it and that in the opinion of its expert assessor, it had probably been used as a spare key. The major concern was about the second key, however. It appeared to be 'locked' (that is, not programmed to the car) and had a manufacturer's date of 2012 on it. In my opinion, it was reasonable for Tradewise to conclude that this key could not have been an original key.

Mr H went to some trouble to demonstrate that both keys were as provided to him initially, but a third key (ordered by him from the manufacturer) did not assist his case at all, in my view. That key was exactly the same code type as key number one (already agreed to be an original key). Key number two had a different part / code number to *both* the other keys. According to Tradewise's expert, it is not a code used in the UK, nor is it in line with the car's specification. When tested, the third key also proved to be 'locked', so in fact both it and key number two were not programmed to the car.

Based on all the available evidence, in my view it was reasonable for Tradewise to conclude that one of the original keys must be missing and may have been used to take the car. I appreciate that Mr H remains adamant that he retained the original keys, but the weight of the evidence is such that I cannot find Tradewise acted unreasonably in declining the claim.

my final decision

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

Susan Ewins
ombudsman