

complaint

Mr R has complained about Markerstudy Insurance Company Limited. He isn't happy that his policy was voided (treated as if it didn't exist) and that Markerstudy have retained his premium.

background

Mr R took out an insurance policy with Markerstudy in March 2015. When it realised that he had a previous policy voided it voided this policy. It says that Mr R clearly knew about the previous policy being voided and so should have told them about it.

Mr R's previous policy was also with Markerstudy although it was taken out through a broker. Markerstudy voided this policy as Mr R provided them with a fraudulent proof of no claims discount (NCD) document.

Mr R then took out another policy with another insurer. But he returned to Markerstudy at renewal. Again this was done through a broker.

When Markerstudy realised that Mr R had had the previous policy voided it moved to void his latest policy. It had asked Mr R about previous voidances when he took out the policy but he didn't tell them about it. As he wasn't happy he complained to this service.

Our adjudicator considered his complaint but didn't uphold it. When she asked Mr R about this he said that he had been the subject of identity fraud. As he didn't provide any evidence that he had been the victim of identity fraud she was satisfied that Markerstudy had acted reasonably.

As Mr R didn't agree the matter has been escalated to me for a final decision.

my findings

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 have reached the same conclusion as the adjudicator and I will explain why.

It is clear that Mr R was asked if he had had any policies voided in the past and he said he hadn't. The question was clear.

As there was fraudulent activity on the previous policy with Markerstudy I can't conclude that it has acted unreasonably. I know Mr R says that he has been the victim of identity fraud but I would have expected him to provide some evidence of this. The previous policies ran in succession and so I feel it is most likely that the previous policy held with Markerstudy was Mr R's.

As such, I believe that Markerstudy has acted reasonably in voiding Mr R's policy and keeping the premium.

my final decision

It follows, for the reasons outlined, that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 30 October 2015.

Colin Keegan
ombudsman