

complaint

Mr K has complained about the issues that have arisen following his accident and claim on his motor policy. A County Court Judgement (CCJ) had been registered against him due to the delay by Advantage Insurance Company Limited in the settlement of the third party's claim. A High Court Enforcement officer was appointed to seize goods at his house, in order to settle the debt. Mr K also stated that this issue has damaged his business reputation.

background

Advantage has admitted that it could have handled this matter better and consequently offered Mr K the sum of £250 compensation for the distress and inconvenience its delay in handling the third party caused him. Mr K refused this amount stating that it was inadequate compensation most especially as the CCJ affected his business as his quotes were declined for property refurbishment contracts.

This also all occurred at a time when Mr K's son was experiencing health problems, causing some considerable distress to the whole family.

The CCJ has now been removed and Mr K's credit report is now stated to be 'excellent'.

The adjudicator upheld the complaint and was of the view that Advantage should pay Mr K the sum of £750 compensation for the distress and inconvenience. Advantage disagreed but raised its offer of compensation to £500. Mr K did not accept that £500 was adequate.

Therefore the case has been passed to me to decide.

my findings

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

The adjudicator recommended that Advantage should pay Mr K £500 for the distress and inconvenience caused by having the CCJ registered against him and £250 for the distress and inconvenience caused by the appointment of the High Court Enforcement officer to seize his goods to satisfy the judgement.

Mr K was of the view that £500 was not a reasonable amount to compensate him for the distress and inconvenience caused along with the damage to his business reputation.

Mr K has not been able to provide evidence of what business he lost due to the registration of the CCJ against him, but I have no doubt that it did affect his standing and therefore impinged on his ability to obtain orders for his business. However without actual evidence of losses incurred I cannot order Advantage to reimburse Mr K for this. Nevertheless I consider that the compensation should cover this instance in addition.

However as fully detailed on our website, our awards for compensation tend to be modest and it is not intended to be a fine or punishment to the business. Therefore I am in agreement with the amount as detailed by the adjudicator.

I find that Advantage should pay Mr K the sum of £750 in compensation for the distress and inconvenience it caused Mr K, his business and his family in allowing a CCJ to be registered

against him and further in allowing the matter to progress to the appointment of a High Court Enforcement officer.

my final decision

For the reasons above, it is my final decision that I uphold this complaint and I order Advantage Insurance Company Limited to pay Mr K the sum of £750 compensation for the distress and inconvenience it caused him.

I make no other order against Advantage.

Rona Doyle
ombudsman