

complaint

Mr B has complained about U K Insurance Limited's (UKI's) decision to void his motor insurance policy.

background

Mr B purchased his policy online, through a price comparison website. Midway through the policy term, UKI found discrepancies relating to the information Mr B had provided about the registered keeper of the vehicle and the address where it would be kept. UKI wrote to him to ask for an explanation and he responded by telephone. He explained that he had registered the vehicle in his brother's name for private reasons. Mr B advised that he would provide a utility bill and driving licence to confirm that he resided at the risk address.

UKI did not receive these documents, so it declared the policy void on the basis that Mr B had deliberately not disclosed material information. When Mr B complained about this decision, UKI stated that if he provided proof that he resided at the risk address and that he was the owner and registered keeper of the vehicle, then it would apply to remove his details from the industry's fraud database. Mr B provided a letter from his local council but UKI would not reinstate the policy.

Our adjudicator did not uphold the complaint, because she was satisfied that Mr B had failed to disclose information which was relevant to UKI's decision to offer cover. Mr B did not agree with the adjudicator's view and argued that he had not done anything wrong. He considered that he owned the vehicle, as he had purchased it on finance and had paid for the instalments.

The complaint has therefore been referred to me for my final decision.

my findings

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

UKI has provided a screen print of the questions asked on the price comparison website, showing that Mr B was asked who owned the car and whose name was on the registration document. It also asked for his address and details of where the vehicle would be kept during the day and overnight. I therefore conclude that UKI, through the website, asked clear questions about these matters. The policy documents also confirm the details that were recorded, based on the answers Mr B gave.

Mr B says that he could not remember completing the application form and that the vehicle was registered in his brothers' name for only a brief period. He has not provided any evidence to confirm this. He maintains that he did keep the vehicle at the address given, but the letters he has provided do not show that he lived there when the policy was taken out. I am only able to decide this complaint on the basis of the information before me.

UKI has provided evidence to confirm that it would not have offered the policy if it had known that Mr B's brother was the registered keeper of the vehicle. This is a legitimate exercise of its commercial judgment and, accordingly, is not something I can interfere with.

Turning to Mr B's knowledge about the information he gave to UKI, I am persuaded that Mr B knew he was giving incorrect information about the registered keeper. The explanation given indicates that Mr B knew that his brother was the registered keeper – indeed, it was a private arrangement which had intentionally been entered into. He has not provided any evidence to satisfy me that this was not the case.

In light of my considerations above, I am satisfied that UKI was entitled to void the policy. It is unclear to me whether UKI has removed the record from the fraud database, but I do not think it was inherently unreasonable in making the record, given the deliberate nature of the non-disclosure.

my final decision

My final decision is that I do not uphold this complaint. I make no award against U K Insurance Limited.

Elsbeth Wood
ombudsman