

## **complaint**

Mr T complains that Tradewise Insurance Company Limited declined to settle a claim he made under his motor trader insurance policy following the theft of his vehicle.

## **background**

Mr T said his car was stolen in August 2011, having been purchased by him in July 2011. Tradewise noted, however, that the receipt provided for the vehicle was dated October 2011. It concluded that Mr T did not own the vehicle at the time of the theft and had no insurable interest in it. It also asked Mr T to provide evidence of being a motor trader, which he did not do. In addition, Tradewise had other concerns about the circumstances of the theft and declined to deal with the claim.

Our adjudicator did not uphold the complaint. In his view, Mr T could not show that he owned the vehicle at the time of the theft, or produce evidence that he was a motor trader. In these circumstances he considered it reasonable for Tradewise not to deal with the claim.

Mr T disagreed with the adjudicator's view. He said the log book was in the car when it was stolen and that the seller had 'sent it off' for him. Mr T asked for a review of the complaint by an ombudsman.

## **my findings**

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

It is not clear to me on what basis Mr T disagrees with the adjudicator's view or why it makes any difference that the log book may have been in the car when it was stolen.

As far as I can see, there can be no dispute about the fact that the purchase receipt for the vehicle is dated some two months after Mr T reported it stolen, or that the log book confirms that date to be accurate. I am satisfied this evidence demonstrates the car was not owned by Mr T at the time of the theft. Since a consumer has to be able to show ownership of a vehicle in order to be able to make a claim for its theft, in my view it would have been reasonable for Tradewise to have declined to deal with the claim on that basis alone. Mr T was not able to put forward any arguments or evidence to explain how he believes he owned the car prior to the date of the purchase receipt.

In addition, I note Mr T has not provided Tradewise with the required evidence of operating as a motor trader, which was the basis for the policy he had taken out and which I am satisfied would have given Tradewise another basis on which to decline the claim.

The circumstances surrounding the incident appear to remain in some doubt and it seems from the available documents that Mr T has not been able to clarify the situation. In my view it was reasonable for Tradewise to query the facts that were reported to it by Mr T initially.

I am satisfied that given all the circumstances pertaining to this particular claim it was fair and reasonable for Tradewise to decline to deal with it.

**my final decision**

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

Susan Ewins  
**ombudsman**