

complaint

This is a complaint that Pinnacle Insurance Plc was responsible for the mis-sale of a payment protection insurance ("PPI") policy to Mr R.

background

Mr R took out a loan to buy a car in 2004. At the same time he was sold a regular premium PPI policy.

Our adjudicator did not think the complaint should be upheld. Mr R disagreed and so the complaint has been passed to me.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

We've set out our general approach to complaints about the sale of PPI on our website and I've taken this into account in deciding Mr R's case.

I've thought about everything that Mr R has said, but I've decided not to uphold the complaint. These are my reasons:

- Mr R says he was told he wouldn't get the car loan if he didn't take the PPI. However, as the sale took place over ten years ago, it's difficult to know whether Mr R's recollections are still accurate. I have however seen the loan agreement, which describes the PPI as optional, and sets out the monthly costs with and without the PPI.
- I accept that it's possible that Mr R was still told that he had to take the PPI. But the little independent evidence available supports the view that the PPI was described as optional. And so I have decided that it is more likely than not that the seller gave Mr R a choice about taking the PPI.
- I don't think the seller recommended the PPI to Mr R, and so it didn't have to check if it was suitable for him.
- It's possible the information that Mr R was given about the PPI wasn't as clear as it should have been. But, as far as I can see, Mr R wasn't affected by any of the exclusions or limitations and the policy was apparently affordable. So I think it unlikely Mr R would have made a different decision if better information had been provided. On balance I think he would still have taken out the policy.

my decision

For the reasons set out above, I'm not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr R to accept or reject my decision before 9 November 2015.

Timothy Bailey
ombudsman