

complaint

Mr H complains that AXA Insurance UK Plc put the wrong total loss marker on his private registration plate after a claim on his motorhome insurance policy. He says that this later led to the loss of money on the sale of a car. He wants compensation for his stress and losses.

background

Mr H's motorhome had a private registration plate. It was involved in an accident in 2006 and declared a total loss. When disposing of the motorhome, AXA registered it on the relevant industry website. However, when doing this it used the private registration plate, rather than the original one. Mr H then used that private registration plate on other vehicles he owned.

Mr H wasn't aware of any problems until 2008 when he looked to buy a new vehicle. At that time, he discovered that the total loss marker had been placed on the private registration plate. Mr H says that this issue was then raised and resolved by a car registration checking company.

In January 2015, Mr H wanted to sell a car which had the private registration plate and then buy another vehicle. However, the buyers of his car discovered the total loss marker against the private registration plate and the deal fell through. The car registration checking company told Mr H that he would need to contact AXA to have the incorrect marker removed. He did this but not before he sold the car. AXA apologised for the error and removed the marker immediately. It offered Mr H £50 compensation. It said that it would consider other losses if he gave evidence of them.

The adjudicator didn't recommend that the complaint should be upheld. He thought that AXA shouldn't have entered the total loss marker against Mr H's private registration plate. However, he thought that Mr H had been aware of this problem in 2008 yet didn't contact AXA until 2015. Once AXA was told of the mistake it acted appropriately and efficiently in rectifying the error. The adjudicator also explained that he could only review AXA's actions under this complaint. He couldn't also look at the car registration checking company's actions as Mr H had wanted.

Mr H replied that the loss of money from the sale of his car was a direct result of AXA's error.

my findings

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

I can see that Mr H feels frustrated and disappointed with the responses to his complaint. He is unhappy that the total loss marker was added to the wrong vehicle registration plate. He thinks that AXA failed to resolve the issue sooner. Mr H says that he lost out on a deal to sell his car. He says that he had to accept £1,000 less than he'd previously agreed. I can understand that Mr H feels that making a complaint against the car registration checking company would be a further drain on his time and energy.

However, I agree with the adjudicator that we can only look now at his complaint against AXA. It's for Mr H to make a separate complaint against the car registration checking company, if he so wishes.

Clearly AXA made a mistake. It has apologised for this and offered Mr H £50 compensation. I've looked at its records and I can't see that it was told of the error until 2015. It then acted immediately to correct the error. I think its offer is reasonable as it's in keeping with the level of award we'd recommend. AXA also reasonably offered to consider Mr H's losses if he gave it evidence of these.

Mr H says that he lost £1,000 in a three-way deal. But I can't see that Mr H has provided evidence of this. Mr H told AXA that it should try to find the evidence. It did, and then he complained to AXA because it had contacted a car retailer asking for evidence. I don't think it's reasonable to ask AXA to pay further compensation without evidence of the loss.

But I can also see that Mr H first became aware of an issue with the number plate in 2008. He says that he was told that it had been resolved. But I can't see evidence to support this. I think that Mr H could then have reasonably checked that the error had been corrected. He could also have contacted AXA when he wanted to sell his car in 2015. The car registration checking company told him that AXA would have to amend the database entry.

I don't think that AXA should be held responsible for any losses as a result of missed car sales. This is because Mr H had opportunities to rectify the issue before losing the sale of his car. He also made the decision to sell the car without contacting AXA. I don't think that AXA should pay him any further compensation.

my final decision

For the reasons I've discussed, it is my final decision that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr H to accept or reject my decision before 24 August 2015.

Phillip Berechree
ombudsman