

## **complaint**

Mr A complains that Aviva Insurance Limited ("Aviva") mis-sold him mortgage payment protection insurance ("PPI").

## **background**

Mr A applied for a PPI policy in August 1998. The policy cost £26.21 and would've paid a monthly benefit of £528 for up to 12 months if Mr A became unemployed. Mr A says he wasn't aware he had PPI and that he wasn't given any information on it.

Our adjudicator didn't uphold Mr A's complaint. Mr A doesn't agree, so the case has been passed to me to make a final decision.

## **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 this case.

Neither Mr A nor Aviva could confirm how the policy was sold to him. Aviva told us that this was a standalone policy which wasn't attached to a particular mortgage. They say Mr A would've either phoned them on the back of some newspaper advertising or applied by post after a mailshot.

Aviva couldn't provide any documents from the time of sale, which isn't surprising after so many years. But as this was a separate product to his mortgage, Mr A would've had to give his details for a separate direct debit. So with the limited information available I think it's more likely than not that Mr A knew he had a choice about PPI and agreed to buying it.

Aviva says they wouldn't have recommended the policy to Mr A, but only provided him with enough information for him to decide whether he wanted and needed the cover. However, even if they did provide Mr A with advice and therefore needed to make sure the policy was right for him, it wouldn't change the outcome of this complaint. I say this because I think the policy was suitable for Mr A. I'll explain why.

Mr A was eligible for the cover and he wasn't affected by any of the policy's exclusions. I also have no reasons to believe the policy was unaffordable for him. Mr A says he had good sickness benefits from his employer and I agree that he probably didn't have a great need for accident and sickness cover.

However, he only bought unemployment cover and although Mr A says he had at least three months of savings at the time, PPI would've allowed him to spend these on other essential living expenses if he lost his job. So I think PPI offered him useful protection for an important asset.

I'm not sure what information Mr A received before he took out the policy or how it was presented to him. It's possible that he didn't receive the right information at the right time. However, if Mr A had been better informed I think he still would've bought the policy for the reasons I've explained above. And so he hasn't lost out as a result of what Aviva might have done wrong.

**my final decision**

For the reasons I've explained I don't uphold Mr A's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 8 April 2016.

Nina Walter  
**ombudsman**