

complaint

Mr P and his representative are unhappy that Sabre Insurance Company Limited has declined a claim on his motor insurance policy.

background

Mr P's car was stolen. He reported it to the police and Sabre. And he gave Sabre one key he said was to his vehicle. Sabre said it'd had the key examined by two experts and both had concluded it definitely wasn't the correct key for Mr P's vehicle. It says he's been adamant all along that this is the only key he has for the vehicle but given the analysis of the fob this simply cannot be true.

Sabre said in its final response that the fact Mr P had only supplied it with one key wasn't now an issue. But as he'd been unable to provide it with the vehicle's keys or a valid explanation why he'd sent it the key to another vehicle it was unable to provide indemnity under the policy.

Our investigator felt this complaint shouldn't be upheld. She said:

- Following the description of the theft Sabre asked Mr P to return the vehicle's key. As part of its investigation it sought expert advice on the key provided. Two reports were obtained from forensic key experts. Both experts concluded the key submitted was non-functioning and not for Mr P's vehicle. It's reasonable for Sabre to rely on this expert evidence.
- As the experts' reports suggest the fob didn't originate from Mr P's vehicle Sabre asked for more evidence and gave him the opportunity to validate his claim. Having reviewed everything that's been said there's not enough to prove a theft took place in light of the missing key to the vehicle. And it's fair for Sabre to decline the claim on the basis that the key isn't accounted for. It hasn't responded to the claim in an unfair manner.

Mr P and his representative have asked for an ombudsman review.

my findings

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

Mr P has provided Sabre with one key he says was for his vehicle. But the expert evidence Sabre has obtained from two independent forensic key experts concludes that this isn't the case. Amongst other things the experts note the fob Mr P supplied wasn't functional, was faulty and the internal circuit board was damaged. They also say it was manufactured almost two years before the vehicle's registration and it didn't match the correct batch code for fobs supplied for the vehicle.

In summary both experts conclude the key fob supplied by Mr P wasn't for his car. I agree with the investigator that Sabre is entitled to rely on the experts' evidence when deciding whether or not to indemnify Mr P. And although Mr P says the key must've been switched by the thief and then stolen, there's nothing to suggest or prove that was what happened.

Taking everything into account I think Sabre has acted reasonably and in line with the policy terms and conditions by investigating the claim and by subsequently relying on the independent expert evidence it obtained. Given that Mr P hasn't given a suitable explanation as to why he can't supply a key for the vehicle or accounted for the key's whereabouts, I think Sabre's entitled to decline to deal with Mr P's claim as it's done. And I also don't think I can now fairly or reasonably require Sabre to deal with Mr P's claim as he and his representative would like.

Overall, I don't see any compelling reason to change the proposed outcome in this case.

my final decision

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 26 March 2019.

Stephen Cooper
ombudsman