Financial Ombudsman Service

complaint

Mr W complains that Mapfre Asistencia, Compania Internacional De Seguros y Reaseguros, S.A. refused to deal with a claim on his travel insurance policy.

background

Mr W was on holiday abroad. He was travelling in a taxi with his luggage in the boot. On reaching his destination Mr W got out and paid the fare. But the taxi driver drove off with Mr W's baggage still in the boot. Mr W reported the matter to the police. They were unable to help.

On his return to the UK Mr W submitted a claim on his Mapfre policy for the loss of his baggage. Mapfre refused to deal with it. It said it'd asked Mr W to provide information but he hadn't done so to its satisfaction. Mr W is unhappy about this.

Our adjudicator recommended that this complaint should be upheld. He said:

- Mapfre was entitled to ask Mr W for information to consider his claim.
- It appeared Mr W had answered Mapfre's questions as best he could. He'd given it a copy of the police report he'd made while abroad together with receipts for the majority of items he'd claimed for. He'd made a genuine mistake in respect of one item. He'd explained the issues surrounding the taxi journey travel time and the amount of cash he had. Mr W had done all that could be reasonably expected of him in substantiating his claim.
- So, Mapfre should admit Mr W's claim and pay it in accordance with the policy terms and conditions.
- As it'd caused Mr W some trouble and upset in its handling of the claim Mapfre should also pay him £100 compensation.

Mapfre doesn't agree. It says it has concerns about the claim. It also hasn't had, and is still waiting for, evidence of some parts of the claim. Mr W has also affected the handling of the claim by delaying contacting the airline as requested and some information isn't now available. It doesn't agree that compensation should be paid.

my findings

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

I agree with the adjudicator and his reasons.

my final decision

My decision is that I uphold this complaint and I require Mapfre Asistencia, Compania Internacional De Seguros y Reaseguros, S.A. to deal with Mr W's claim in accordance with the policy terms and conditions and pay him £100 compensation.

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

Stephen Cooper
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