

## **The complaint**

Ms E has complained about the repair Aviva Insurance Limited carried out under her mobile phone insurance policy.

## **What I've decided – and why**

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

Our investigator thought Aviva had acted fairly. I agree, and for the same reasons, so I don't think there's a benefit for me to go over everything again in detail. Instead, I'll summarise the main points:

- Following a claim, Aviva repaired Ms E's phone. She got back in touch months later because there was a problem with the phone. She said the flip mechanism wouldn't allow it to open fully and the screen had started to bleed from the middle. She asked Aviva to put the problem right under the repair warranty.
- Aviva said the cause of the problem was impact damage, rather than the repair it had carried out. It also noted the length of time between the repair and the current problem and said it wouldn't deal with the problem under the warranty. It later said Ms E had gone on to pay a £29 excess to have the problem repaired as a new claim.
- So if the evidence showed the damage resulted from Aviva's repair, I'd require it to refund the excess. But, if not, I wouldn't require it to do anything further.
- There's no professional opinion about the cause of the problem. But, looking at the photos Ms E provided prior to the repair, and noting the timing of the damage, I can see why Aviva thought it was caused by an impact. The nature of the damage is consistent with that usually caused by an impact – and I think it's unlikely a problem caused during the repair would take many months to reveal itself.
- In these circumstances, I'm satisfied Aviva acted fairly and I'm not going to require it to refund the excess or do anything further.

## **My final decision**

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms E to accept or reject my decision before 1 October 2024.

James Neville  
**Ombudsman**