



complaint

Mr O complains that a fee was wrongly deducted by Zenith Insurance plc from his motorcycle insurance policy after he made a claim following an incident.

background

Mr O took his bike to a local garage, where it was left over the weekend. He informed Zenith of this, and it instructed its engineer to view the bike at the garage. The garage completed an estimate and Zenith's engineer agreed that the bike was a write-off. When Mr O received his settlement cheque, a deduction had been made for the garage's estimate. When he complained to Zenith it said that it was not responsible for any charges incurred before it was notified of an incident. It also pointed out that the garage was not an authorised repairer.

Our adjudicator upheld the complaint. In his view, Mr O had tried to follow the claims procedure, as set out in the policy booklet, so Zenith should reimburse him for the charge it had made. As Zenith disagreed, the complaint was passed to me for review.

my findings

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

The policy booklet states that if damage to the bike occurs, then "*Where possible you should obtain two detailed estimates for the cost of repairs and send them to us as soon as possible.*" There is no reference to having to report the incident before taking the bike to a garage, or that charges will not be paid by Zenith to any garage that is not an authorised repairer.

In my opinion, Mr O believed that he was following the correct procedure under the policy. He says that he did not authorise the garage to carry out an estimate, so it appears that there may have been a misunderstanding between the parties. I do not consider that to be central to the complaint, however, and I am satisfied that it would be fair and reasonable for Zenith to reimburse Mr O the charge deducted from the settlement sum. I do not consider it appropriate to award a sum for distress and inconvenience.

my final decision

My final decision is that I uphold this complaint. I require Zenith Insurance plc to reimburse Mr O £59.99, plus interest at 8% simple p.a., from the date of loss to the date of settlement.

Susan Ewins
ombudsman