

complaint

Mr F has complained that MCE Insurance Company Limited's agent caused further damage to his motorbike when he made a claim under his motorcycle insurance policy.

background

Mr F's motorbike was vandalised in an attempted theft. He reported the incident to his insurer, MCE in February 2019.

MCE arranged for Mr F's motorbike to be collected by a salvage agent. An engineer inspected Mr F's motorbike and declared it a total loss.

MCE rejected Mr F's claim as it applied an exclusion under the policy. Mr F has raised a separate complaint about this with MCE. So it doesn't form part of my decision.

The salvage agent returned Mr F's motorbike to him. Mr F complained that further damage had been caused while in their care.

MCE didn't uphold Mr F's complaint. The engineer provided photos of the bike when it was collected and when it was returned. MCE couldn't see a difference in its condition. The engineer's report identified areas of damage consistent with the incident and in areas Mr F said had new damage.

Mr F asked us to look at his complaint. He provided photos he said were taken after the bike was returned to him. He said these photos showed new damage.

Our investigator looked at all of the photos and couldn't see a difference. So she didn't recommend Mr F's complaint should be upheld.

Mr F said the photos clearly show new damage. So he wants an ombudsman to decide.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Having done so, I don't intend to uphold it.

Mr F said there was new damage as follows: a mirror was missing, the rear of the bike was damaged, side panels damaged, dented tank and the seat was ripped.

One of the photos provided by Mr F shows the left wing mirror is missing. But the photos provided by the engineer of the bike when it was returned show the mirror was in place, but the right wing mirror was damaged. The engineer's report highlighted the following areas of damage:

"Ignition barrel has been forced no apparent signs of damage to headstock of frame. Further damage to wiring loom, levers, handlebars and grips, mirrors, lockset, headlamp, fairing panels, tailpiece panels, indicators, footrests and hangers, instruments, gear change pedal, rear brake lever..... there is long standing surface corrosion to the front forks and chassis parts and seat cover has cracked."

MCE has provided a recording of a call between the agent and Mr F. The agent asked Mr F if it would be ok to deliver the bike back to his address and post his keys through his letterbox if he wasn't there. Mr F agreed. The agent said they would call Mr F the day before. They didn't. But I don't think it did anything wrong when it delivered Mr F's bike as agreed.

The only discrepancy I can see is with the nearside wing mirror which is missing in Mr F's photos. But it wasn't missing in the return photos provided by the salvage agent. I understand Mr F will be disappointed with my decision but there isn't enough to persuade me that Mr F's bike was further damaged while under the care of MCE's agent. So I don't think MCE needs to do any more.

my final decision

For the reasons I've given above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr F to accept or reject my decision before 15 December 2019

Geraldine Newbold
ombudsman