

# Complaint form

Please use this form to tell us about your complaint - so we can see if we're able to help you. If you're not sure about anything - or have difficulties filling in this form - just phone us on 0800 023 4567.

You can return this form by email to [complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk) or post it to Financial Ombudsman Service, Exchange Tower, London, E14 9SR.

## your details

first, please give us your details

... and the details of anyone complaining with you, for example a joint policy/account holder

first name John	title Mr
surname Layte	
date of birth (dd/mm/yyyy)	1 1 0 6 1 9 4 4
address for writing to you	
address line 1	Winter Cottage
address line 2	Goongumpas
address line 3	St Day
city	Cornwall
county	UK
country	
postcode	T R 1 6 5 J L

first name	title
surname	
date of birth (dd/mm/yyyy)	
address for writing to you	
address line 1	
address line 2	
address line 3	
city	
county	
country	
postcode	

phone number 1	0 1 2 0 9 8 2 0 1 4 6
phone number 2	
email john@layte.com and johnlayte@gmail.com	

phone number 1	
phone number 2	
email	

How would you like us to contact you?

phone  email  post

There will be times when we need to send you documents. When we do, how would you like to receive them?

email  post

Have you used our service before?  
(This is so we can link our records)

yes  no

Do you have any practical needs where we could help - by making adjustments like using large print, Braille or a different language?

NO



the business you are complaining about

which business are you complaining about?

their name Saga Services Limited

their address  
please include postcode

Enbrook Park  
Sandgate  
Folkestone  
Kent  
CT20 3SE

what's happened so far?

Have you already complained to the business?

yes  no

If yes, when did you complain to the business? (dd/mm/yyyy)

The business has up to eight weeks from this date to send you its final written answer - before we can investigate the complaint

January to March 2021

Has the business you're complaining about sent you its final written answer? If yes, please provide us with a copy of this

yes  no

Has there been any court action relating to your complaint (or is any planned)?

If yes, please enclose copies of relevant paperwork

yes  no

When did the advice, claim, service or transaction you're complaining about take place? (dd/mm/yyyy)

January to March 2021

your complaint

tell us about the product or service you would like to complain about

Home Insurance

Do you have a complaint or other reference number for this product or service?

Case Ref 1481648856/SSL1012499

## tell us about your complaint – what happened?

I had been renting WINTER COTTAGE to tenants under a landlord insurance policy since July 2020 but during their tenancy I had agreed to sell the property + ANNEXE + Barn to buyers who wished to complete the sale on 11 March 2021 some six weeks after their tenancy ended and about 4 weeks after my tenants agreed to vacate - giving me 4 weeks to provide vacant possession (which after 50 years of acquiring "stuff" was no mean feat!). I was insured with SAGA at my House next door (GOONHILLEND) so I phoned Saga to arrange insurance for WINTER COTTAGE for the six weeks or so between my tenant's agreement ended and the sale completing which I thought would be a 20 minute phone call but I was very wrong! SAGA refused to insure an empty property for six weeks so I asked them to transfer my insurance at GOONHILLEND (main home) to WINTER COTTAGE which they also said was not possible. There had to be two new policies - well OK I will do that then but I thought it silly as in six weeks time (hopefully!) I would have to transfer my main home at WINTER COTTAGE back to GOONHILLEND. I answered the questions for GOONHILLEND and when it came to "year of build" I answered (as I had been doing for 50 years "I do not know but I guess about 1875") which SAGA accepted. When it came to WINTER COTTAGE things became more complicated because WINTER COTTAGE has an ANNEXE which SAGA said had to be insured separately and was undergoing some work at the time (installing extra insulation to try and improve its EPC from F to E or above so that it could be rented). Again when it came to "year of build"? I answered the same as GOONHILLEND - "Guess 1875" for both WINTER COTTAGE and the ANNEXE but this time SAGA offered very limited insurance for WINTER COTTAGE (any claim may not be paid if it was found that WINTER COTTAGE was first built before 1800 [See page 11](#)). The ANNEXE insurance was even worse in that even theft, storm damage, contents and contractors was not included. ([See page 14](#)). As I was doing the insulation work myself SAGA considered me a contractor so if I accidentally set fire to the building (or whatever) there was no cover. Whereas I was hoping to sell both WINTER COTTAGE and the ANNEXE on in a few weeks (11 March 2021) I was not happy about the cover and phoned SAGA and complained. SAGA's reaction to my complaint was to cancel the insurance on GOONHILLEND and the ANNEXE ([See page 11](#)) but retain the limited cover on WINTER COTTAGE. The reason SAGA gave was that I didn't know the exact date of build of either (I guessed that they were probably built around 1875 but told SAGA it was a guess) but worse SAGA said that if I tried to insure GOONHILLEND and The ANNEXE with another insurance company I had to declare that I have had insurance refused in the past ([See page 12](#)). I was sent an email a short time later stating I did not need to tell a new insurer that I had insurance cancelled by SAGA ([See page 9](#)) but when I phoned I was told that the person who sent me the [page 9](#) email (T.Sturgess) was wrong and I must tell a new insurer that SAGA had cancelled my policies..

.....

Continued on page 7

## how have you been affected – financially or otherwise?

I calculate that it cost me 12 days work trying to get insurance (without success) when it should have taken about 20 minutes. Because SAGA cancelled my insurance there was about a 2 month period where I had no insurance on GOONHILLEND and a 7 month period I had no insurance on the ANNEXE which as you can imagine was a worry but luckily nothing happened despite several powerful storms at the time. It was a lot of work clearing the properties of 50 years worth of "stuff" from WINTER COTTAGE / ANNEXE and another barn in the sale to provide vacant possession by 11 March 2021. I had allowed 4 weeks to do this but SAGA put me 12 days behind. I employed two people to help me catch up and they did well but cost me £650. It was a mad rush at the end but 2 days before the completion date the buyers dropped out! Although SAGA state I said they were "partly to blame" ([See page 15](#)) - that is totally untrue. In a phone call I told SAGA that the sale had fallen through but specifically told them that they were NOT to blame. To this day I have not been able to find out the real reason as to why the purchasers dropped out.

## how would you like the business to put things right for you?

It seems to me that it is unfair for SAGA to penalize me for telling the truth - I genuinely do not know the exact date my properties were first built and I have not found a way to find out despite trying hard. Most old properties in Cornwall are the same - their owners say they have the same problem when insuring their homes and that they just lie and invent a date when asked! Well that would have saved me a lot of trouble but I believe dishonest. The only answer I can give is "I don't know the date". I am of the opinion that SAGA (and all other insurers) should accept that answer is the only truthful answer and I believe it should be the onus of the insurer to prove it wrong if they believe the answer "I don't know" is a lie. I would also like a letter from SAGA confirming I do not need to inform a new insurance company that I have had insurance cancelled or declined for telling the truth. They promised me one in a phone call in July 2021 but I have not received it yet. This would allow me to change from SAGA to another insurer in the future. **Which I would obviously like to do!**

please continue on a separate sheet if needed

If your complaint is about the sale of payment protection insurance (PPI) or a packaged bank account, you will also need to complete a separate questionnaire. You may have done this already - if you have already complained directly to the business you think is responsible. If not, you can download the questionnaire off our website - or phone us for a copy on 0800 023 4567.

# declaration

finally, please read this declaration

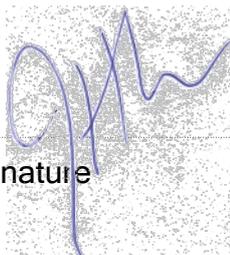
- I would like the Financial Ombudsman Service to look into my complaint.
- To the best of my knowledge, everything I have told you is correct.
- I understand that, to help resolve my complaint, you will need to use and keep personal information about me - for example, how to contact me and details about my complaint and sometimes sensitive personal information.
- I understand that this might include collecting information about me from the business I've complained about and possibly sharing information with other parties - for example, other businesses that may have been involved in my complaint.
- I understand you have a duty to publish your ombudsmen's final decisions on your website - with complainants' details removed - but that most cases can be resolved before they reach an ombudsman.

## what's next?

Please confirm, by marking the relevant circles, that you:

- agree to the declaration above. We can only look into your complaint if you do.      yes  no
- are happy to speak to us on the phone and understand that our calls are normally recorded. Otherwise, we will need to be able to contact you electronically or by post instead. This may mean your complaint takes longer to resolve than if we were able to speak by phone.      yes  no
- are happy for us to contact you for feedback about our service. Having people's views on our service is vital for helping to improve what we do. Giving feedback is completely optional.      yes  no

Where you've agreed to any of the statements above, you can withdraw your consent at any time.



signature

28102021

date  
(dd/mm/yyyy)

signature

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date  
(dd/mm/yyyy)

if you're complaining on behalf of a business, charity or trust, please give your job title

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For complaints involving accounts or policies held jointly, each person needs to sign and we may share details about the complaint with both signatories. And you need to sign, even if someone else is complaining on your behalf. This shows you have given them your permission to complain for you. If you or the joint complainant do not wish to be contacted for feedback about our service or by telephone please contact your case handler.

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post to ...  
Financial Ombudsman Service  
Exchange Tower  
London E149SR

0300 123 9 123 or 0800 023 4567  
Calls are recorded for training and  
monitoring purposes  
[complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk)

# Privacy notice

## about us

Financial Ombudsman Service  
Exchange Tower, London, E14 9SR  
[www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk)  
0300 123 9 123 or 0800 023 4 567

## why we process your personal information

Personal information means information that is about you - for example, your name, date of birth, financial details and phone conversations with us. With your consent, we process (eg collect, record, share) your personal information to help resolve your complaint including special category data such as information about your health where it's relevant to your case. We may contact you for feedback to help improve our service - but only if you give your consent. We may also use information about your case to spot any wider issues or trends in the complaints that we receive and to review and improve the effectiveness of our service. For example, we may review a group of similar complaints to check whether a product has been sold unfairly to consumers on a wide scale and what the cause might be. We'll only do this where we consider that there is a legitimate interest.

## who we share your personal information with

We may share or check your information with the business your complaint is about and occasionally others - for example, another business or individual that was involved in your complaint (eg a broker, underwriter, lender or joint complainant) or a credit referencing agency.

Where we can, we keep your personal information within the European Economic Area. If that's not possible, we take appropriate steps to safeguard your information.

If you have a complaint about the service we've provided to you, and we've not been able to resolve this, you can ask the Independent Assessor to investigate your complaint about our service. We will pass on relevant details to the Independent Assessor so that they can investigate and respond to your service complaint.

## how long we keep your personal information

We keep your personal information only for as long as we need to. This includes things like:

- We will keep your case file for 6 years after your case closes (or 3 years if we did not go on to fully investigate your case).
- We keep ombudsman decisions permanently.
- If you ask the Independent Assessor to look into a complaint about our service, the Independent Assessor's office will keep their case file for 6 years, (or 3 years if your complaint is not one that can be addressed by the Independent Assessor).

## your rights

You have a right to withdraw your consent to us processing your personal information at any time. You can also ask us to delete your personal information or to restrict or object to the way we use it.

This may mean we won't be able to look into your complaint. We might also need to keep some personal information - for example, to avoid duplicate complaints or to comply with the law.

You have a right to receive any personal information you have given to us in an easy to use way - and to have it sent to another organisation. You can also ask us for a copy of your personal information and to correct it.

## what to do if you're unhappy with how we've handled your personal information

Please first let the person looking after your complaint (or their manager) know so they can look into your concerns. You can also contact our data protection officer at:

[data.protection@financial-ombudsman.org.uk](mailto:data.protection@financial-ombudsman.org.uk).

If you're unhappy with our response, you can contact the Information Commissioner's Office at [www.ico.org.uk](http://www.ico.org.uk), [casework@ico.org.uk](mailto:casework@ico.org.uk) or 01625 545 745.

When I first contacted SAGA I told them I did not know the exact year of build and that this has always been an issue since purchase of WINTER COTTAGE in 1973 and GOONHILLEND in 1976. I told SAGA that we had originally contacted the St Day historical society to see if they could date the properties but all they could say for certain was that they existed in 1890 and their best guess was that they all dated to about 1875 but could be much older. SAGA said (at the time!) they did **not** need an exact date but did need proof that they were not built prior to 1800 (as can be seen in the **second paragraph** of SAGA's final response letter on [page 15](#)). I spent hours on the Internet trying to find a date of build for all three properties without much success but I did find a rather vague map - Ordnance survey first edition dated 1806 - 1869 which did not appear to show any of the properties existed in 1806 thus had been built sometime after 1806 (and obviously had not been built prior to 1800!). I sent SAGA an email with a copy of the map (see [pages 19](#) and [20](#)). This e-mail was confirmed as having been received by SAGA in the penultimate paragraph in SAGA's final response letter (see [page 17](#)). SAGA did not respond directly to my e-mail but following it they sent me new quotes for GOONHILLEND and the ANNEXE but they were considerably more than the policies they had just cancelled - GOONHILLEND had increased from £359.46 to £510.65 and the ANNEXE from £89.59 to £226.34. I queried this since I did not see that a guess that they were built in 1875 was as good as proof that they were not built prior to 1800 and why did the premiums go up? I did not accept the quotes and as SAGA had advised me to "seek insurance elsewhere" (see [pages 11 12 13](#)) I did just that (Hobson's choice?).

I tried to get GOONHILLEND + WINTER COTTAGE ANNEXE insured with another company and contacted NFU Mutual ([See page 14](#)) but they declined me insurance because of my having had two policies cancelled by SAGA. ([See page 10](#)).

My ex Wife managed to insure GOONHILLEND (she owns half of it and has never had insurance refused or cancelled). But it had been uninsured for about 2 months since SAGA cancelled it and her being able to insure it again - what would have happened if we needed to make a claim in the interim?

On about 28 July 2021 in a phone call SAGA, after some seven months of being uninsured, SAGA finally agreed to include the ANNEXE with WINTER COTTAGE by saying WINTER COTTAGE was a 4 bedroom 2 bathroom property rather than a 3 bedroom single bathroom property with an ANNEXE. (SAGA had refused to do this at the start). SAGA also told me they had removed the "date of build" restriction on WINTER COTTAGE + the ANNEXE but on reading the policy again on 20 October 2021 I note it states that I had told them that "They were built 1850 - 1899" but I did not tell SAGA that - what I said was "I don't know when they were built and all I know is they were not built before 1806 but existed in 1875 i.e. they were built between the two dates but impossible to be specific. This is disgraceful. Giving me the impression over the phone they had lifted the restriction but putting in the policy a statement I did not say ([See page 8](#)). Perhaps a new complaint? .

In the same phone call I asked SAGA to send me a letter stating that I no longer needed to tell a future insurer that I had had insurance refused / cancelled. I was promised such a letter but I have yet to receive one. Perhaps a new complaint?

The current situation is that WINTER COTTAGE and the ANNEXE are insured with SAGA with a policy that contained a lie which SAGA say I told them but I know I didn't. SAGA have advised me to insure my properties elsewhere but I must tell the new insurers that SAGA have cancelled two of my policies which means that I am unlikely to get cover from a new insurer as has already happened (see [page 10](#)). So I am stuck with SAGA for all time it seems.

I note that in SAGA's final letter ([see page 16](#)) they move the goalposts by their statement "*I can confirm that our underwriters require to know the exact year of build for property's (sic) that were built pre 1850*". Whereas I think I had proved that the properties were not built pre 1800 (see [pages 19](#) and [20](#)) which was SAGA's original requirement I cannot prove whether they were or were not built prior to 1850.

Obviously I am not pleased that SAGA state I should apply to a new insurance company but I must state that SAGA has cancelled my policies with them thus making it difficult for me to do so.

## Statement of Insurance

### Questions you answered

This Statement of Insurance is a record of the information provided to Saga and is used to determine your eligibility for this policy and how much your total cost should be. Please check that the information listed below is correct and you have answered all questions honestly, fully and to the best of your knowledge. If any of the information is incorrect your policy may be cancelled or treated as if it never existed, or your claim may be rejected or not fully paid.

### Notification of changes

You must tell us at your earliest opportunity of any changes to the information shown in your Statement of Insurance or Schedule including the following:

- you will be leaving the property unoccupied for more than 60 consecutive days;
- any work planned at the property other than routine repair and maintenance;
- any work that requires the erecting of scaffolding;
- the number of bedrooms in the property has changed;
- you or anyone permanently living with you is convicted of any offence (except motor offences);
- the value of your contents or the rebuilding cost of your property changes;
- changes to the occupancy of the property e.g. lodgers staying at the property;
- change of occupation;
- change of address.

This is not a full list and you should let us know if any of the details you have already given us change. Once you have told us about a change we will reassess your cover and total cost. Should we be unable to continue cover we will advise you. If you do not inform us, it is possible that a claim will not be covered or not fully paid, or your policy may be cancelled or treated as if it never existed.

### Insured property address

Winter Cottage  
Goongumpas  
St. Day, Redruth  
Cornwall  
TR16 5JL

### About your home

- You have told us your property is a 4 bedroom detached house, built 1850 - 1899, is not listed, is your main home and is lived in by you.
- The insured property
  - has walls predominantly constructed from brick/stone/concrete and roofed predominantly with tiles/slate/concrete/metal and has no areas of flat roof or no more than a quarter of the roof is flat
  - is not left unoccupied for more than 60 consecutive days
  - has no history or any signs of subsidence, ground heave or landslip
  - or its land have never been flooded, to the best of your knowledge
  - is not used for business purposes

**Please contact us if this is not the case.**





John Layte <johnlayte@gmail.com>

**Your Query <Your Case Ref:1481648856/SSL1012499>**

1 message

**SAGA Services** <services.customer-relations@saga.co.uk>

5 February 2021 at 10:50

To: Mr John Layte <JOHN@layte.com>



Our Reference: SSL1012499

5th February 2021

Dear Mr John Layte

I write further to your telephone conversation earlier today.

I can confirm, following a conversation with our Underwriting team, that you do not need to declare that you have had an insurance policy declined, cancelled or made void.

This is because in light of recent information, you currently do not fulfil the criteria for us to be able to provide cover, rather than Saga declining cover due to withheld information coming to light.

Yours sincerely

Thomas Sturgess  
Customer Relations Executive  
**Chief Executive's Office**



John Layte <johnlayte@gmail.com>

**RE: Saga letter**

1 message

**Helston Agency** <helston\_agency@nfumutual.co.uk>  
To: John Layte <johnlayte@gmail.com>

12 February 2021 at 18:04

Classification: Confidential - PII

Sent: 12 February 2021 12:25

To: Helston Agency <helston\_agency@nfumutual.co.uk>

Hello John,

Thank you again for your time and forwarding the attached letter from Saga, I have spoken with our underwriting department and my Agent and unfortunately, we are unable to offer cover at this time due to the circumstances relating to refusal of insurance.

----- Forwarded message -----  
From: John Layte <johnlayte@gmail.com>

I do apologise but if you require any further information, please do contact.

Subject: Saga letter

To: <helston\_agency@nfumutual.co.uk> - JL <johnlayte@gmail.com>

Many thanks,

**Katherine Perry**

Customer Service Adviser

R J Angove & S E Valles

Phone: 01326 574831

Email: [helston\\_agency@nfumutual.co.uk](mailto:helston_agency@nfumutual.co.uk)

NFU Mutual West Cornwall Agency, The Angel Centre, Tyacke Road, Helston. TR13 8RR



**NFU Mutual**

INSURANCE | PENSIONS | INVESTMENTS



John Layte <johnlayte@gmail.com>

**RE: Saga Home Insurance:936414475, Email Ref: SS2104980X**

1 message

enquiries@saga.co.uk <enquiries@saga.co.uk>  
To: JOHN@layte.com

5 February 2021 at 08:24



Dear Mr Layte,

I am writing with regards to your Saga Home Insurance Policy.

I have referred to our Underwriters regarding Winter Cottage Annex and Goonhill.

Due to you not knowing the year of build for both the Annex and Goonhill.

Our Underwriters have requested for us to back date the Buildings cover to when the inception was to show the policy was never taken up.

Regarding the Contents cover for Goonhill, our Underwriters have issued a 7-day cancellation on 29th January 2021, therefore the Contents will be cancelled from Midnight tonight.

As I advised last Friday, our Underwriters for Winter Cottage have agreed to continue cover, but if it comes to light the Year of Build is incorrect, this could invalidate any potential claim made and the policy.

We do advise that you seek insurance elsewhere in the meantime,

Please note this correspondence has been sent by email and post guaranteed delivery, if you have already responded please disregard

If you have any further queries please do not hesitate to contact us via email or by calling our Customer Services Department on 0800 056 9102 where one of our agents will be happy to help you. We are open Monday to Friday 8.30am to 8.00pm and weekends 9.00am to 5.00pm.

Yours sincerely



John Layte <johnlayte@gmail.com>

**RE: Saga Home Insurance: 936414475, Email Ref: SS2104980X**

1 message

**enquiries@saga.co.uk** <enquiries@saga.co.uk>  
To: JOHN@layte.com

5 February 2021 at 08:27

This e-mail and attachment(s) has been scanned for the presence of computer viruses. Saga accept no responsibility for computer viruses once this e-mail has been transmitted.



Dear Mr Layte,

Thank you for your recent contact with our office regarding Saga Insurance Services.

I would also like to advise, if you were to go to a new insurer you will need to declare you have your Contents Policy by your previous Insurer due to the issue with the Year of Build.

Your complaint has been passed to our Customer Relations Team who will be in contact with you in due course.

If you have any further queries please do not hesitate to contact us via email or by calling our Customer Services Department on 0800 056 9102 where one of our agents will be happy to help you. We are open Monday to Friday 8.30am to 8.00pm and weekends 9.00am to 5.00pm.

Yours sincerely

Hannah Johnson  
Saga Home Underwriting

The opinions expressed in this e-mail are those of the individual and not necessarily the company. This e-mail and attachment[s] are confidential to the sender and are solely for use by the intended recipient.

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Saga Publishing Limited: Company Registration No. 2152564  
The above companies are wholly owned subsidiaries of Saga Group Limited.

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Saga Personal Finance is a registered trading name of Saga Personal Finance Limited:  
Company Registration No. 3023493

Mr John Layte  
Winter Cottage Goongumpas  
Redruth  
Cornwall  
TR16 5JL

29 January 2021

Policy Number: 936414475

Dear Mr Layte,

I am writing with regards to your Saga Home Insurance Policy. We have recently tried to contact you; however this has been without success.

I have referred to our Underwriters regarding Winter Cottage Annex and Goonhill.

Due to the annex not being in a good state of repair, as advised on the call when the quotation was done, and with you not knowing the year of build for both the Annex and Goonhill.

Our Underwriters have requested for us to back date the Buildings cover to when the inception was to show the policy was never taken up.

Regarding the Contents cover for Goonhill, our Underwriters have issued a 7-day cancellation, therefore if we don't hear from you by 5th February 2021, we will cancel the Contents.

As I advised this morning, our Underwriters for Winter Cottage have agreed to continue cover, but if it comes to light the Year of Build is incorrect, this could invalidate any potential claim made and the policy.

We do advise that you seek insurance elsewhere in the meantime,

Please note this correspondence has been sent by email and post guaranteed delivery, if you have already responded please disregard

If you have any further queries please do not hesitate to contact us via email or by calling our Customer Services Department on 0800 056 9102 where one of our agents will be happy to help you. We are open Monday to Friday 8.30am to 8.00pm and weekends 9.00am to 5.00pm.

Yours sincerely



John Layte <johnlayte@gmail.com>

## Fwd: Saga letter

1 message

John Layte <johnlayte@gmail.com>  
To: Helston@nfumutual.co.uk

12 February 2021 at 12:24

----- Forwarded message -----

From: John Layte <john@layte.com>

Date: Wed, 3 Feb 2021 at 11:26

Subject: Saga letter

To: <helston\_agency@nfumutual.co.uk>, JL <johnlayte@gmail.com>

Hello Kath?

Thanks for your phone message asking me to send you a copy of the Saga letter cancelling my insurance for not knowing the date my properties were built! I have been insuring them for nearly 50 years (mostly but not always with Saga) and I always stated I don't know the build date other than I was told all were first built before 1890. A web search a couple of days ago reveals they all existed in 1879. The bit in the letter that states that the Annexe is not in a good state of repair is not true and stems from the fact that the Fortic tank had leaked and had been removed and I had turned off the stop tap so that the feed pipe did not flood the place. Saga took this to mean that the building could not be inhabited as no water for the toilet, bath, handbasin and kitchen sink. I said it would be a half hour job to "plug" the open feed pipe and restore cold water to the property thus making it habitable and Saga seemed happy with this. I plugged the pipe and Saga agreed to allow limited insurance for the building and sent out a policy - no theft, storm or contents cover and no cover for contractors (apparently I was a contractor as I was in the process of upgrading the insulation to modern standards so if I accidentally set fire to the building (for instance) it would not be covered). I was not happy with this as I could not see it was fair to refuse storm damage in particular and contacted Saga and complained - resulting in this letter. My complaint is on going as you can imagine.

Regards

JH Layte

The construction of Goonhillend can be seen here

Customer Relations Department  
The Saga Building  
Middelburg Square  
Folkestone  
Kent  
CT20 1AZ

Mr John Layte  
Goonhillend  
Goongumpas  
St. Day Redruth  
Cornwall  
United Kingdom  
TR16 5JL

31st March 2021

Our Reference: SSL1012499

Dear Mr Layte

I write further to my email dated 26<sup>th</sup> March 2021, and I have now had the opportunity to investigate the concerns you have raised regarding your Saga Home Insurance policy numbers: 936497944 & 936414718

My understanding of your complaint is that you are unhappy Saga cannot provide cover for your properties, as you were unable to confirm if they were built pre – 1800.

You are also unhappy that you received a letter from Saga, claiming you told us your annex property was not in a good state of repair, when you did not advise this.

You are displeased that our Underwriting Department refused to send another letter confirming they were incorrect in stating your annex is not in a good state of repair.

You are frustrated with the increase in the premiums Saga provided, for your properties.

You are unhappy with the information provided by our Customer Relations Department after you received a letter from our Underwriting Department stating, you would need to declare your policy cancellation to other insurers.

You are not happy about the email that was sent by your previous case handler, as this did not include the available times that she was working.

You are not happy with the service provided by our Underwriting advisor, as you felt she handled the whole matter poorly.

You feel Saga have deliberately put obstacles in your way regarding this whole process as you were selling your properties.

You are not happy being asked to pay an outstanding balance of £5.09, for a policy that was cancelled by Saga.

You feel Saga are partly to blame for the sale of your property falling through, because of the delays. You had to employ people to clear the property instead of dealing with it yourself, as

this matter has cost you unwanted time being spent. You have requested reimbursement of £650.

Firstly, I would like to apologise for the frustration and upset caused by this matter, our service has clearly fallen short of what you were expecting, moving forward we will do better for you. Following my investigation into your concerns, I can confirm that our underwriters require to know the exact year of build for property's that were built pre 1850. In this instance, as the year of build for your properties was unknown, Saga are regrettably unable to provide cover, which resulted in the cancellation of your policy. I can understand the frustration this has caused you, unfortunately to ensure we are providing cover correctly, we must obtain the correct year the property was built. It may help to explain, had this been brought to our attention that the insured properties year of build was unknown, this would have been referred to our Underwriters at the inception of this policy. Your underwriter Prestige would not have been able to provide cover for this property. I am unable to uphold this part of your complaint.

I would also like to apologise for any upset caused by our Underwriting Department, after you received a letter dated 29<sup>th</sup> January 2021, confirming your annex property was not in a good state of repair. It may help to explain, this letter was correctly issued based on the information you provided us, regarding the property. You confirmed with our advisor that the property had no water in the kitchen and was not in a good state of repair. After a second conversation, you further clarified to our Underwriting Department that your kitchen was fully functioning, and your pipe was capped. Unfortunately, I am unable to uphold this part of your complaint as our underwriters have followed the correct process and issued the correct letter, based on the information you provided. After you further clarified the situation with Saga, this was then correctly amended on our system and the state of repair was no longer an issue, only the year of build of the property.

I'm sorry you are unhappy our Underwriting Department, as they refused to send you an amended letter confirming your property was in a good state of repair. Following my investigation into this matter, I can confirm Saga did correctly provide a follow-up letter dated 5<sup>th</sup> February 2021, which removed the paragraph confirming your property was not in a good state of repair. This was removed, after you provided further clarity on the state of repair of your property. I am unable to uphold this part of your complaint.

I have also spoken with our Pricing Department regarding your concerns raised about the premiums provided. Unfortunately, they have confirmed that the premiums have been calculated correctly, based on the correct risk information presented to the underwriter. It may help to explain Saga do not have any influence over the premiums that our underwriters produce, as these are calculated independently based on the rates, risks and cover levels and the premium you have been offered, was the lowest price available from our panel of insurers this year. Whilst I am unable to uphold this part of your complaint, I'm sorry if this was not the answer you were expecting, as I appreciate any premium increase is frustrating.

I have reviewed the recorded telephone conversation dated 5<sup>th</sup> February 2021 and I'm sorry for the incorrect information that was provided by our Customer Relations Department. It was incorrectly confirmed during this conversation, that you did not need to declare your cancellation to other insurers. It is our intention to make your life easier not harder, and clearly, we have not done our job on this occasion. Let me reassure you, that this will not happen again. I can confirm the cancellation of your policy will need to be declared to other insurers as cancelled by insurer. I will be upholding this part of your complaint and feedback will be provided to the relevant individual, to ensure we improve the service we provide to our customers in the future.

I would like to apologise for any frustration caused from the email sent by a Customer Relations Executive, which did not include the available times she was working. It may help to

explain, we do not provide shift times within our email correspondence, as we can not guarantee availability between these hours, due to holidays, meetings and absence. Whilst I am unable to uphold this part of your complaint, I can understand your point of view and feedback will be provided to see how we can improve our email correspondence in the future.

I'm sorry for any upset caused by our Underwriting advisor that was dealing with your policy. I can understand this situation was very stressful and you wanted to make sure your properties were covered. I have reviewed the process our advisor has followed, and I can confirm I am happy with the service provided. Based on the information that was provided by you, our advisor has acted correctly and attempted to speak with your underwriter directly to ensure your properties were covered. Following your concerns, this was then transferred to an Underwriting Manager to review and unfortunately, it was confirmed Prestige were unable to offer cover based on the year of build. Regrettably, I am unable to uphold this part of your complaint.

I would like to apologise that you feel Saga have deliberately put obstacles in your way, after advising us you were selling your property. I can understand why you feel this way, based on the back and forth with our Underwriting Department regarding the year of build of your property. It may help to explain, our underwriters have followed the correct process in this matter, to make sure your properties are fully covered in the event of a claim, and your risk information provided is correct. Due to you not knowing the exact year of build, our Underwriting Department have referred over to the underwriter all the risk information you have provided, but unfortunately, they have declined to provide cover, as you confirmed one of the property walls, was as old as early 1700's, when speaking with the Underwriting Manager. Regrettably, I am unable to uphold this part of your complaint.

I'm sorry for the additional frustration caused, when you received an outstanding balance letter dated 9<sup>th</sup> February 2021, following the cancellation of your policy. I have spoken with our Accounts Department and I can confirm the amount of £5.09 has been calculated correctly, based on the time on cover when the policy was cancelled. Whilst I am unable to uphold this part of your complaint, I will waive this outstanding balance and I confirm you do not owe Saga this amount.

I'm sorry to learn that you spent unwanted time dealing with this matter, and the sale of your property fell through and did not go ahead. I can understand your frustration and I'm sorry you have spent unwanted time dealing with this matter, which resulted in you having to employ individuals to assist with clearing your properties. Unfortunately, Saga are unable to provide any reimbursement of these costs as our underwriters have followed the correct processes when trying to obtain cover for you. This was based on the information you have provided, which was correctly referred over to the underwriter Prestige. Regrettably, as the exact year of build was unknown, cover could not be provided. I am unable to uphold your complaint.

Considering the above, our service has clearly fallen short of what you were expecting, moving forward we will do better for you. I would like to offer you £30.00 compensation, to be raised via cheque. If you wish to accept my offer, please can you contact me using the information provided and I will speak with my Accounts Department and raise the above amount.

I would also like to mention, I have spoken with our Underwriter's regarding the ordinance maps you have provided, and unfortunately, we are unable to change the cancellation decision on your policy. It is recommended you declare the 7-day cancellation to any new insurer, to see how they wish to proceed.

I have now concluded my investigation and hope that the above explanation is satisfactory and answers the concerns you have raised. However, if you have any additional information not previously provided, that may impact the outcome of your complaint, please do not hesitate

to email me at [services.customer-relations@saga.co.uk](mailto:services.customer-relations@saga.co.uk), write to me at the above address, or call me direct on 0800 092 3700.

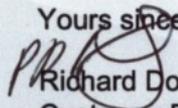
If you remain dissatisfied with our response you have the right to refer your complaint to the Financial Ombudsman Service, free of charge - but you must do so within six months of the date of this letter.

If you do not refer your complaint in time, the Ombudsman will not have our permission to consider your complaint and so will only be able to do so in very limited circumstances. For example, if the Ombudsman believes that the delay was as a result of exceptional circumstances.

The following website gives you more information on the Financial Ombudsman Service: <http://www.financial-ombudsman.org.uk>

For this purpose, this communication can be considered our final response on this matter and I have enclosed a leaflet providing further information on the Financial Ombudsman Service.

Yours sincerely

  
Richard Donellan  
Customer Relations Executive  
Chief Executive's Office

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**ref 936414475**

1 message

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**John Layte** <john@layte.com>

5 February 2021 at 10:44

To: "home@customerservice"@saga.co.uk, JL &lt;johnlayte@gmail.com&gt;

Please see attached a copy of the 1806 to 1869 Ordnance survey map of this area. I cannot identify that Goonhillend or Winter Cottage (+ Annexe) existed in 1806 thus meaning neither were built before 1800 and thus your insurance criteria has been met. If you think that any of the buildings marked are any of the properties then please point them out. I appreciate it is difficult, indeed arguable, because none of the roads or lanes seem to relate to what is here now. Saga apparently researched the build date and I would have thought looked at this map as it is available on the internet but apparently ignored it - were Saga aware of this map? If not why not?

JH Layte

**1806 ordnace.pdf**

524K

### Ordnance survey first edition 1806 - 1869

This is the earliest map I can find of the area. The Goongumpas area between Croftthany (Croft Hendy on the map) and Hale Mills (Hayle Mills on the map) to the East, Poldice valley (to the North) and Wheel Maid valley to the South (named on the map as Wheel Virgin) is shown within the blue rectangle. I cannot identify Goonhillend or Winter cottage as being in existence in 1806 and even the lanes and roads are very different to what they are now.

