

The complaint

Miss J's complaint is about a finance agreement she has with Secure Trust Bank plc ("Secure Trust"), trading as Moneyway. She says they didn't advise her they had problems with the vehicle ownership registration.

The details of this complaint are well known to both parties so I won't repeat them again here. Instead I'll focus on giving my reasons for my decision.

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 agree with the conclusions reached by the investigator for these reasons:

- Miss J acquired her car under a hire purchase agreement. The hire purchase agreement is a regulated consumer credit agreement and as a result our service is able to look into complaints about it.
- Secure Trust's records show that they had the wrong telephone number for Miss J so I think it's likely their attempts to contact her by phone would have failed.
- They do seem to have had the correct address for Miss J but Miss J says she didn't receive the letter from them questioning ownership. On balance I think, on this occasion, it's likely she didn't receive correspondence. There appears to be no valid reason why she would not disclose the car had been transferred into her name;
- I'm not persuaded that Secure Trust have provided sufficient compensation here. I can imagine it would be distressing for Miss J to have collection agents attend her property; especially when her children were at home. I can also imagine that their arrival would cause some disruption to her and her family's day and it would clearly have been upsetting to subsequently find she'd been charged for the repossession. Considering all the disruption this will have caused I'm persuaded that compensation of £200 is correct.

For these reasons, I uphold this complaint.

My final decision

My final decision is that this complaint should be upheld. In order to resolve Miss J's complaint Secure Trust Bank plc should increase their offer of compensation for distress and inconvenience to £200.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss J to accept or reject my decision before 17 July 2020.

Phillip McMahon
Ombudsman