

## **The complaint**

Mrs H complains that a washing machine that she paid for using a credit agreement with Shop Direct Finance Company Limited, trading as “very”, wasn’t of satisfactory quality.

## **What happened**

The details of this complaint are well known to both parties and have been set out by the investigator so I won’t repeat them again here. Instead I’ll focus on giving the reasons for my decision.

## **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.

Having done so, I agree with the conclusions reached by the investigator for these reasons:

- Mrs H bought a washing machine on *buy now – pay later* terms under a credit agreement with Shop Direct in January 2019;
- she contacted the manufacturer in March 2019 because the machine was leaking and its engineer found that the door seal had been damaged and the seal was replaced at no cost to Mrs H;
- she contacted the manufacturer in August 2019 about another leak and its engineer identified that there was a crack in the drum which had been caused by an Allen key that was found in the machine so wasn’t covered under the warranty;
- Mrs H complained to Shop Direct and then to this service but our investigator didn’t think that there was enough evidence for him to ask Shop Direct to allow Mrs H to reject the machine;
- Mrs H has asked for her complaint to be considered by an ombudsman and she says that the Allen key must have left in the machine when it was manufactured, that there have been further issues with the machine that she’s paid to be repaired by an independent engineer and that Shop Direct has applied interest at an excessively high rate;
- the manufacturer’s engineer found an Allen key in the machine and says that it has cracked the drum which is causing the machine to leak and Mrs H hasn’t been able to provide a report from the independent engineer about the damage to the drum;
- I’m not persuaded that there’s enough evidence to show that the Allen key was in the machine when it was bought by Mrs H and I consider it to be more likely than not that the machine has been damaged by an Allen key that has accidentally been put into it since March 2019 (if the Allen Key had been there when the machine was bought I consider it to be likely that it would have damaged the machine sooner than it did - but Mrs H didn’t complain about that damage until about seven months after she bought the machine);

- the door seal was replaced in March 2019 but the engineer says that the damage was caused by misuse but the door seal was replaced at no cost to Mrs H;
- I'm not persuaded that there's enough evidence to show that the washing machine wasn't of satisfactory quality when it was bought by Mrs H so I don't consider that it would be fair or reasonable for me to require Shop Direct to refund to Mrs H the cost of the machine or to reimburse her for the cost of the repair;
- the rate of interest under the *buy now – pay later* terms is 39.99% and Mrs H had to pay the full price of the washing machine of £649.99 by February 2020 to avoid being charged deferred interest of £279.03 – she didn't do so and Shop Direct charged the deferred interest and continues to charge interest to Mrs H;
- I consider that Shop Direct has responded fairly and reasonably to Mrs H's complaint and I'm not persuaded that there's enough evidence to show that it has applied the interest incorrectly or that it's acted incorrectly in its dealings with her account; and
- I sympathise with Mrs H for the difficulties that she's experienced but I find that it wouldn't be fair or reasonable for me to require Shop Direct to take any action in response to her complaint – but if she's experiencing financial difficulties she should contact Shop Direct about them and it's required to respond to any such difficulties positively and sympathetically.

### **My final decision**

My decision is that I don't uphold Mrs H's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 8 February 2021.

Jarrold Hastings  
**Ombudsman**