

## The complaint

Miss A complains that London and Country Mortgages Ltd caused delays when she applied for a mortgage. She wants L&C to compensate her for the distress and inconvenience this caused.

## What happened

Miss A approached L&C in August 2020. Her mortgage application was submitted on 11 August 2020, and the mortgage offer was issued on 24 September 2020.

Miss A complained to L&C about delays to her mortgage application. But L&C didn't uphold the complaint. It said, in summary:

- It didn't agree that it had advised Miss A she would receive her offer by 21 September 2020;
- Once the application was submitted responsibility for the processing rested entirely with the lender concerned. In order to do so it would ask for any supporting information it felt is necessary in order to satisfy itself that an application meets its lending criteria and this could be requested at any stage during the underwriting process;
- With regard to the time taken for the lender to send out the mortgage offer to the nominated solicitors, the processing and generation of the offer rested with the lender involved and L&C's staff had no influence over this;
- Although the lender may have implied that L&C was responsible for delays, it couldn't agree based on the information available. L&C spoke to the lender on 3 September and no further request was made for additional information. The lender then emailed with an update on 7 September requesting additional information, which L&C's staff actioned.

Miss A wasn't satisfied with L&C's response, and so she brought her complaint to this service. She said, in summary, that the delays she experienced caused her months of significant distress and inconvenience. As well as dealing with numerous calls from L&C and the lender she had spent a considerable amount of time trying to reassure the seller's solicitors and estate agent that she was still interested in the property.

Our investigator reviewed Miss A's complaint, but didn't recommend that it should be upheld. He said, in particular:

- While Miss A had expected a mortgage offer by 21 September 2020 the emails from L&C didn't provide or promise any specific dates for the offer;
- Although Miss A was unhappy about the delay for the lender to send out the mortgage offer to her solicitors this was outside the control of L&C as the offer was handled by the lender;
- The mortgage application didn't have any major delays from the application being submitted on 11 August 2020 to the mortgage offer on 24 September 2020, apart from the 3 weeks for the booking and completion of the valuation which was handled by the lender.

Miss A isn't happy with our investigator's conclusions and has asked for her complaint to be considered by an ombudsman. She says in particular that L&C did cause delays even though it was aware of the urgency and the potential loss of the purchase.

### **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 carefully considered all the evidence and arguments in this complaint I've come to the same conclusion as our investigator, and for much the same reasons. I appreciate that this will come as a disappointment to Miss A, so I'll explain why I've reached this decision.

Miss A says that L&C told her it could complete her mortgage offer prior to her date of entry on 9 September 2020. But, although I've considered what she has to say, I haven't seen any evidence to support this. The call notes from a call at the beginning of August 2020 record that she was told that lenders were taking 6 to 8 weeks to issue offers, and that there was no guarantee of the timescale. And I've not seen any other evidence to show that L&C suggested that the mortgage offer would definitely be received sooner.

Miss A's mortgage application was submitted on 11 August 2020, and the offer was issued on 24 September 2020. This is a little over 6 weeks, and the largest delay was in the lender instructing the valuation, which was not L&C's responsibility. So I'm satisfied that the offer was made within the timescale L&C had initially indicated. And – although I appreciate that the lender told Miss A that L&C had caused delay - I've not seen any evidence of undue delays on L&C's part.

I appreciate that Miss A has explained that she was under a lot of pressure to complete the purchase of the property. But although I sympathise, as I've not found that L&C caused undue delay I'm not persuaded that it would be reasonable to hold it responsible for the stress Miss A undoubtedly suffered. I agree with our investigator that it was Miss A's decision to set a date to complete the purchase before the mortgage offer was issued. And, as he explained, although a lender may expedite an application in certain circumstances there is no guarantee that it will do so, or that any deadlines will be met.

As I don't find that L&C made an error I don't require it to do anything further.

**My final decision**

My decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss A to accept or reject my decision before 20 December 2021.

Alison Cribbs  
**Ombudsman**