

The complaint

Miss D complains that a car acquire with finance from Moneybarn No 1 Limited wasn't of satisfactory quality.

What happened

In April 2019 Miss D was supplied with a car and entered into a conditional sale agreement with Moneybarn. Miss D experienced issues with the engine in September 2019. The issues got worse over time and an engine fault message was displayed on the dashboard warning Miss D not to drive the car.

Miss D reported the issue to Moneybarn in March 2019. Moneybarn asked Miss D to provide evidence showing that the fault was present at the point of supply.

Miss D provided a screenshot of the dashboard warning message. Moneybarn offered to arrange an inspection of the car but didn't hear back from Miss D. Following this, Miss D obtained a diagnostic report which found a misfire on one of the cylinders and a fault code for low oil.

I issued a provisional decision in which I explained why I wasn't upholding the complaint. I looked at the diagnostic report, but I wasn't persuaded that this showed that there was a fault present of developing at the point of supply because the report wasn't conclusive on this. I explained that this was important because the fault had presented after the first 6 months, so it was up to Miss D to prove that it was present at the point of supply. I said that there was no clear evidence of what had caused the fault or for me to safely conclude that the car wasn't of satisfactory quality.

Neither party responded to my provisional decision. The case has now been passed back to me for review.

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.

Neither party has responded to my provisional decision and I haven't seen any further information which would cause me to reach different conclusions from those I reached in my provisional decision.

My final decision

My final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss D to accept or reject my decision before 1 November 2021.

Emma Davy
Ombudsman