

The complaint

Mr H complains about an administrative error made by AMAS Investments Limited, he says this has caused him distress and inconvenience.

What happened

The details of this complaint are well known to both parties, so I won't repeat them again here. Broadly speaking the facts are not in dispute although Mr H still has some concerns about how the matter came about, so I'll focus on giving the reasons for my decision.

AMAS offered Mr H £100 compensation to put things right but our investigator suggested it needed to do more. Our investigator said if Mr H could provide evidence of any financial loss suffered then AMAS should pay this and add 8% simple interest. He also recommended that AMAS pay Mr H £200 compensation for the distress and inconvenience its error caused. Both parties agreed with our investigator's opinion, but Mr H wants AMAS to formally recognise and acknowledge the error it made.

As an agreement couldn't be reached, the complaint has been passed to me to make a 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 conclusion reached by our investigator for the following reasons:

- Mr H said when AMAS employees visited his house they failed to comply with social distancing rules. I've thought about this along with the explanation provided by AMAS. It said given the space where the meeting took place, maintaining further distance wasn't possible. On balance, the reasons provided by AMAS seem reasonable to me. I'm satisfied that its agents visited Mr H's home at his request and Mr H would've been aware of the circumstances before the meeting was held.
- All parties agree that AMAS made an error in failing to eliminate the second paragraph on the letter of authority which resulted in it being appointed as Mr H's servicing agent. And I can understand why Mr H is upset that this ended up being the case.
- When a business has made an error I firstly need to consider if there was any financial impact. Here, Mr H had lost the benefit of a special fee agreement with another business. But I can see this has been reversed and Mr H is now back in the position he would have been in had AMAS's error not occurred. I've seen no further evidence that the administrative error resulted in further financial loss.
- Mr H and AMAS agree that £200 compensation suggested by our investigator was

enough to settle the complaint. But in addition to this, Mr H wants AMAS to formally acknowledge the error it made. I've thought about this and overall, I think AMAS has accepted responsibility for its error. It did so by way of offering compensation as an apology, furthermore it has agreed to increase the initial offer of compensation.

- Having looked at everything that happened and considering the impact on Mr H I'm satisfied that £200 is a reasonable payment to put things right.
- Whilst the administrative error caused Mr H distress in thinking he no longer had the benefit of his special fee agreement and the inconvenience in sorting this out, I think £200 fairly reflects the impact of this mistake. This includes the time taken by Mr H in getting to the bottom of what happened. This complaint has been upheld and the decision will be published naming AMAS as being responsible for the error it made.

My final decision

For the reasons I've explained above, my decision is that AMAS Investments Limited should pay Mr H £200 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 21 June 2022.

Rajvinder Pnaiser
Ombudsman