

## **The complaint**

Miss M is unhappy about the way in which Creation Consumer Finance Ltd handled her claim under section 75 of the Consumer Credit Act 1975.

## **What happened**

In October 2018 Miss M purchased a cooker from a supplier and entered into a finance agreement with Creation.

In 2021 the cooker developed a fault. Miss M contacted the supplier who offered a partial refund.

Miss M raised a section 75 claim with Creation seeking a full refund. Creation accepted the claim but offered a partial refund, taking the age and usage of the cooker into account. Miss M was unhappy with the outcome and complained to this service.

I issued a provisional decision in which I said I thought Miss M had a valid section 75 claim because the cooker had failed prematurely and therefore wasn't durable and was of unsatisfactory quality. I looked into the average lifespan of a cooker of the type supplied to Miss M and said a reasonable person could expect a cooker of this type to last 12 years. I said that because Miss M had owned the cooker for 3 years before it failed, and because no replacement cooker was available, it was fair to ask Creation to refund the purchase price of the cooker less a deduction of 25% for use, resulting in a refund of £284.99 to Miss M.

I invited both parties to let me have any further information or arguments they wished to make.

Miss M said she accepted my provisional decision. Creation didn't respond.

## **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.

Miss M has accepted my decision and Creation hasn't responded. In the circumstances, I see no reason to reach a different conclusion to that which I reached in my provisional decision.

## **Putting things right**

To put things right Creation Consumer Finance Ltd must pay £284.99 to Miss M.

## **My final decision**

My final decision is that I uphold the complaint. Creation Consumer Finance Ltd must pay £284.99 to Miss M.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss M to accept

or reject my decision before 9 October 2022.

Emma Davy  
**Ombudsman**