

## **The complaint**

Mrs P complains that Quickly Finance Limited trading as Fast Track Reclaim (FTR) failed to pursue a mis-sold payment protection insurance (PPI) claim.

## **What happened**

In July 2019, Mrs P instructed FTR to pursue a mis-sold PPI claim with one of her lenders I'll call "H". Mrs P said she asked several times for an update about her claim and was told it was still being investigated. But was later told "H" hadn't been able to locate any accounts for her. Mrs P said she'd sent evidence to FTR that showed she'd a credit card account that she'd been paying a PPI premium. Mrs P complained to FTR.

FTR said that they'd submitted Mrs P's letter of authority (LoA) to "H" before the August deadline. But "H" had told them in October 2019 that they couldn't locate any accounts for her. FTR said this hadn't been noted on her account. And they couldn't show that the evidence of PPI Mrs P sent to them had been passed onto "H". In June 2021, FTR offered to submit a data subject access request (DSAR) to "H" to establish whether Mrs P would have received any compensation for her mis-sold claim. But "H" said Mrs P hadn't made a claim for mis-sold PPI before the deadline for making such claims had passed. Mrs P brought her complaint to us.

Our investigator said Mrs P had lost the opportunity to have a mis-sold PPI claim investigated. And said FTR should compensate Mrs P £350 for this.

FTR accepted the investigator's outcome. But Mrs P didn't agree she said FTR claimed the average amount of redress they'd been able to get for their customers was £2,500. To reflect this Mrs P said she should be compensated at least £1,000 for her loss of opportunity. Mrs P has asked for an ombudsman to decide.

## **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'm upholding this complaint. I'll explain why.

It's not in dispute that FTR didn't progress Mrs P's mis-sold PPI claim efficiently. And evidence that could have identified her accounts with "H" doesn't appear to have been passed on by FTR to "H". This has meant Mrs P has lost the opportunity to have her mis-sold PPI claim fully investigated by her lender. So, I'm satisfied that FTR have acted unfairly, and that Mrs P should be compensated for this. What remains in dispute is the amount of compensation FTR should pay to put things right.

The Financial Conduct Authority (FCA) deemed 29 August 2019 as the deadline for mis-sold PPI claims to be made. Leading up to the August PPI deadline many claims management companies, such as FTR amended their terms and conditions in recognition of the expected high

volume of claims. And reflected that lenders could investigate any claim based on a data subject request, such as a LoA. Any claim received after the 29 August 2019 deadline wouldn't have been accepted by the lender(s) unless there were exceptional circumstances for doing so.

Mrs P's dispute centres around the potential redress she feels she could have got from a successful mis-sold PPI claim with "H". I can see FTR sent the LoA, Mrs P signed in July 2019 to "H" before the August 2019 deadline. But from the information on the LoA "H" hadn't been able to locate an account for Mrs P and in October 2019 they told FTR about this.

I can see that Mrs P sent a 2002 statement to FTR that showed the type of credit card she had and that she'd paid a PPI premium of £37.74. With the passage of time some lenders who'd sold PPI are no longer in the market. This is the case with the lender for Mrs P's credit card. Her lender at that time had since transferred their business over to "H".

But where a lender couldn't locate an account, I would have expected FTR to look to obtain further details to help the lender to find an account if there was one. Mrs P had sent this evidence to FTR but I can't see that they sent this to "H" which meant "H" didn't investigate whether Mrs P had been mis-sold PPI as they hadn't found an account and so a mis-sold PPI claim wasn't made before the deadline passed.

I'm unable to speculate on whether a mis-sold PPI claim would have been upheld by "H" as there are several factors that "H" would have had to consider. While Mrs P has shown she'd paid a PPI premium I can't know whether she would or wouldn't have received any redress. But by FTR failing to send the information to "H" Mrs P has lost the opportunity for her claim to be fully investigated. And I think FTR should compensate Mrs P for this.

### **Putting things right**

Our investigator said FTR should compensate Mrs P the sum of £350 for loss of opportunity, I think this is fair and reasonable. Mrs P thinks FTR should reimburse her in line with the potential compensation they advertised she might have received. So, I understand this isn't the outcome Mrs P was hoping for as she will probably feel this doesn't address her potential financial loss. But as I outlined above, I can't know if her claim would have been successful or not.

**My final decision**

I uphold this complaint. And ask Quickly Finance Limited trading as Fast Track Reclaim to pay Mrs P £350 for loss of opportunity.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs P to accept or reject my decision before 8 November 2022.

Anne Scarr  
**Ombudsman**