

## **The complaint**

The estate of Mrs C complains that Vanquis Bank Limited has refused to transfer money from her account.

## **What happened**

Mr C on behalf of the estate of Mrs C says Mrs C, his wife, passed away unexpectedly before a planned holiday. He says the holiday business refunded the cost to Mrs C's Vanquis credit card account for just under £1,800. Mr C says Vanquis insists on either a Grant of Probate or Letters of Administration before it will pay the account balance. He says that he has provided identity documents and says the request is unreasonable as there will be a cost. Mr C says other businesses do not require such documents for such a relatively small amount and Vanquis's decision has caused distress.

Vanquis says its policy is to ask for one of the requested documents. It says it can't comment on other businesses policy.

Mr C brought the complaint to us, and our investigator didn't uphold the complaint. The investigator thought it up to Vanquis to decide what its policy was and that we are not its regulator.

Mr C doesn't accept that view and questions why he should pay between £200 and £400 for the documents. He says there is no mention of the requirement in the credit card agreement.

## **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 have come to the overall decision that I don't uphold this complaint. I appreciate Mr C will be disappointed by my decision and appreciate how strongly he feels about this complaint.

I hope it will assist Mr C if I explain our role. We are not Vanquis's regulator and so it's not our role to direct it to change its policy on this issue. And the complainant here is not Mr C but the estate of Mrs C, so I can't consider the distress Mr C has suffered in dealing with this issue. I appreciate Mr C says other businesses have higher limits before requests of this type are made but each business is entitled to decide, when exercising its commercial judgement, what those limits are.

I'm satisfied that Vanquis has made a decision to request either a Grant of Probate or Letters of Administration before releasing to the estate the credit balance on Mrs C's account. I have made clear that I find it's entitled to make such a decision however inconvenient that may be to the estate but that doesn't mean it's acted unfairly or made a mistake. So, I can't fairly direct Vanquis to release the money to the estate in these circumstances. I don't think it matters what was or not said about this issue in the credit card agreement as Vanquis has made its position clear.

I appreciate Mr C questions why he should pay the cost of £200 to £400 but it may be the case depending on the size of the estate that a fee is not required. I would have expected the estate to have considered that, as it will know the exact amount of the estate and can see it has told us the value is under £5,000.

### **My final decision**

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

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mrs C to accept or reject my decision before 19 September 2023.

David Singh  
**Ombudsman**