

## **The complaint**

Mr F and Ms Z complain about delays by Barclays Bank UK PLC removing a legal charge from their property following redemption of their mortgage.

## **What happened**

Mr F and Ms Z had a mortgage with Barclays. They repaid this on 27 April 2023. However, because Barclays had provided an incorrect redemption amount, a small balance remained, so the mortgage account wasn't closed off. This meant that Barclays didn't remove its legal charge when it should have.

Mr F and Ms Z complained about this. Barclays wrote to Mr F and Ms Z on 15 June 2023 to confirm that the charge had been released. A few days later, Barclays offered £200 compensation for the delay in removing its charge. Mr F and Ms Z didn't accept this and referred the complaint to our Service.

One of our Investigators looked into this complaint. She thought that the amount of compensation should be increased to £350. Barclays accepted this, but Mr F and Ms Z didn't. They asked for the complaint to be escalated to an Ombudsman. So, it's been passed to me to consider and make a final 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.

Mr F and Ms Z have raised two complaints with our service. This complaint, regarding the release of Barclays legal charge, and another regarding incorrect redemption balances being provided prior to the mortgage being redeemed. Mr F and Ms Z referred them to us as separate complaints, and we set them up and dealt with them as such.

An Investigator provided Mr F and Mr Z with his opinion on the complaint about the incorrect redemption balance in August 2023. Mr F and Ms Z didn't reply to that, so that complaint was closed.

The complaint being addressed within my decision is that of the late removal of the legal charge. And I won't comment further on the issue of the incorrect redemption balance.

Mr F and Ms Z have presented their complaint in a high level of detail. Their response to our Investigator's opinion focussed on the fact that they felt the review had been insufficient and superficial. They didn't explain why they disagreed with the opinion that our Investigator had reached. They instead asked for a further review and "corrective action".

I want to reassure Mr F and Ms Z that I've considered everything they've provided. However, I won't be responding in the same level of detail. I'd like to make clear that our Service is an informal alternative to the courts. Our remit is to resolve cases quickly, with the minimum of formality. I'll therefore focus on the crux of this complaint – the delay in Barclays removing its

legal charge. I don't agree that there is a need for further investigation as Mr F and Ms Z have asked for. What has happened here isn't disputed. It's simply what Barclays should do to put matters right that I need to decide.

It's agreed by all parties that there was a delay in Barclays removing its legal charge. The mortgage was redeemed on 27 April 2023. Because the figure given for the redemption was incorrect by around £30, this meant that it wasn't fully closed off and led to the delay in the legal charge being removed. This small outstanding balance was waived by Barclays and the legal charge was removed on 14 June 2023.

It must have been frustrating for Mr F and Ms Z to have not had the charge removed in a timely manner. I would expect something like this to reasonably take no more than two weeks from redemption. Yet it took around seven weeks. So, I think Barclays is responsible for delays of around five weeks here.

I can see Mr F and Ms Z had to get in touch with Barclays a number of times to resolve the matter, adding to their frustration and inconvenience. And they were given conflicting information at time. I can't see that Mr F and Ms Z have suffered a financial loss because of the delay. So it's just the amount of compensation for the distress and inconvenience this matter has caused that I need to decide.

I've thought carefully about this. And, having done so, I'm satisfied that the £350 our Investigator suggested is fair compensation in the circumstances. This is inline with any award I would make in similar circumstances. Mr F and Ms Z can find further details of awards of this nature on our website.

I appreciate that Mr F and Ms Z would like a more in-depth review. However, as I've set out above, this is not the remit of this service. All parties accept a mistake has been made. And I'm satisfied that this is a fair way to resolve the matter.

### **Putting things right**

Barclays Bank UK PLC should pay Mr F and Ms Z a total of £350 compensation. It may deduct any compensation it's already paid from this amount.

### **My final decision**

I uphold this complaint and direct Barclays Bank UK PLC to put things right as set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr F and Ms Z to accept or reject my decision before 23 February 2024.

Rob Deadman  
**Ombudsman**