

The complaint

Mr K is unhappy with the way more 2 life Ltd dealt with his mortgage application. He said more 2 life appointed their own solicitors and he's unhappy with the length of time it took the solicitors to respond to queries. Mr K also isn't happy that the solicitor and more 2 life have a 'secret deal' to allow a five day turnaround for responses to happen.

What happened

Mr K applied for a mortgage on 28 July 2022 and his broker recommended a mortgage with more 2 life. More 2 life appointed Enact solicitors to deal with the purchase on their behalf – which isn't unusual.

Mr K is unhappy about the timescales for receiving replies and updates from Enact and said the process caused him a considerable amount of stress. He said his complaint points include lack of contact and responses from Enact, issues with paperwork which included witness forms and issues with buildings insurance certificates. He said that he didn't end up completing on the property until the end of November 2022.

Mr K has also complained that more 2 life and Enact have a five working day turnaround to respond to queries which he thinks isn't acceptable, especially as mortgage offers from more 2 life are only valid for 42 days.

He explained that he is a pensioner and doesn't believe that he has been treated fairly as a vulnerable consumer and thinks that more 2 life should have done more to make the process easier and simpler for him.

Mr K complained to more 2 life who apologised for the stress that Mr K was under but ultimately didn't think that they had done anything wrong. They also explained that the service level agreements they have with Enact are not in their terms and conditions as these are agreements they make with third parties when processing mortgage applications.

Mr K wasn't happy with what more 2 life said so he brought the complaint to the Financial Ombudsman Service where it was looked at by one of our investigators. Our investigator didn't uphold the complaint. He acknowledged that Mr K found the process stressful, and he thought the apology from more 2 life was acceptable but ultimately he didn't think that the stress Mr K was under was as a result of more 2 life acting unfairly or unreasonably.

Mr K disagreed. He said these mortgages are for elderly people therefore more 2 life should be able to support them and keep them aware of what is going on. He doesn't agree that it's acceptable for Enact to have a five-day turnaround to answer queries and thinks if this is the case, it should be in their terms and conditions.

Mr K said that we haven't referred to the comments and reviews that he found about more 2 life and Enact which shows a theme around lack of communication and failure to answer calls.

As Mr K disagreed with the investigator, he asked for the complaint to be reviewed by an ombudsman, so it's been passed to me 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.

I appreciate that Mr K feels very strongly about his complaint, but after considering everything very carefully, I agree with the outcome that our investigator reached. I'll explain why.

Mortgage application

I have taken a look at the timeline to understand what has happened, and if there were any delays that could have been avoided. After reviewing all the information available to me, I can't agree that more 2 life or Enact caused any unnecessary delays.

I've seen the emails and contact notes for the information that had been requested, and I can't say that any of it was unreasonable. I appreciate that Mr K said this caused him stress, but taking out a new mortgage can be quite stressful. Enact was acting on behalf of more 2 life and their purpose was to ensure that everything was in place prior to more 2 life lending to Mr K. This is something we would deem to be appropriate and reasonable.

To give some specifics, the buildings insurance certificate didn't have the correct rebuilding cost on it which is why it had to be returned. It was important to ensure that this document had the correct value on it and I can't say that more 2 life were unreasonable in asking for this information.

More 2 life asked for details about who was living in the property which is completely normal for a mortgage lender. Consent is sometimes required for other people that are living in the property and more 2 life wanted to know who those people were, and some information about them.

This was also a special condition which was documented on the mortgage offer and it explained that consent forms were needed for the other occupiers of the property. Having looked at what was requested, and the forms that had to be completed, I'm satisfied that these were necessary.

I understand that a mortgage application had been made in July 2022 and the mortgage didn't complete until November 2022 – but this timescale isn't unreasonable. It can take three to six months, sometimes longer, for mortgage applications to complete depending on information that is required as part of the process.

I appreciate that Mr K said he was acting as a go between for his solicitor, more 2 life's solicitor, the estate agent and those he was buying the property from – but this isn't because of more 2 life doing anything wrong. Purchasing a property is a big commitment and like I said, it can be a very stressful time. There are things that need to be done to ensure things are in place to protect any customers purchasing properties. Having reviewed everything, I haven't seen anything that I found to be unnecessary or anything that caused a delay. I think that more 2 life have acted fairly and reasonably for this part of the complaint.

Service level agreements

Mr K has expressed dissatisfaction that more 2 life and Enact have an agreed response time of five working days. He doesn't think this is acceptable seeing as mortgage offers from more 2 life are only valid for 42 days.

It's not for the Financial Ombudsman Service to get involved in what a lender's service level agreements are. This is something that is agreed with more 2 life and the companies that they work with. Mr K thinks this is a 'secret deal' which should be in more 2 life's terms and conditions, but this is a commercial decision that more 2 life have made, as any lender would, on how long they take to respond to their customers. However on that note, I've not seen anything that meant these timescales were exceeded which delayed the completion of the property.

Mr K also said that he wasn't told by more 2 life that a 42 day extension had been granted to the mortgage offer. I can see that Mr K was told by his own solicitor that an extension of a further 42 days was granted to the mortgage offer he received– as things were taking a little bit longer. I appreciate that Mr K said he wasn't told by more 2 life and understand that would have been frustrating for him, but this was extended so I cannot see that Mr K was put in a worse position because of it.

I appreciate the comments that Mr K has made about being a vulnerable consumer and someone who is a pensioner. Taking out a mortgage is never easy at the best of times and I do understand this put him through some stress. These types of mortgages are primarily for older customers and we would always expect any lender to treat their customers fairly. I think that more 2 life have worked as quickly as they could to ensure things were in place and I can't agree that the stress that Mr K felt was because of anything wrong that more 2 life did.

For completeness, I'd like to cover the points off that Mr K makes about the online reviews he has found about more 2 life and Enact. He has pointed out that these reviews show the issues that other customers have encountered. While I appreciate the time and effort that Mr K has put into providing this information, this isn't something that we can look at or comment on in this decision.

We look at complaints on an individual basis to decide if the business in question has acted in a fair and reasonable manner. We are not the regulator of more 2 life and we are not there to punish them or get involved in what may or may not have happened with other customers. Our role is to look at Mr K's case which is what we have done here.

I know that Mr K will be disappointed with my decision, but I'm satisfied that more 2 life acted fairly and reasonably in the circumstances of this complaint.

My final decision

For the reasons given above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 20 March 2024.

Maria Drury
Ombudsman