

## **The complaint**

Mr R has complained about the service he has received from his broker, ITI Capital Limited (ITI). In particular, he is unhappy with the way they have handled his request to rematerialise some shares he holds through them.

## **What happened**

Mr R says he had approximately 10,000 shares in US Oil & Gas Plc transferred to him from a family member in September 2021.

Mr R says that US Oil & Gas Plc had announced through a company announcement in May 2021, that they were withdrawing from CREST. CREST is the central securities depository that operates the electronic settlement system for markets in the United Kingdom and Irish stocks.

Due to this, customers such as Mr R were told shares would be rematerialised (converted back into paper form) and that they should look to obtain paper certificates from their broker. Mr R says he requested this with ITI as soon as the shares were transferred to him in September 2021.

Mr R says he chased this up several times, but his request was not met. He complained to ITI. They initially responded in November 2021 to say, they couldn't certificate the shares as they were pulled away from CREST at zero value and hadn't had the certificate issued to them.

Mr R remained unhappy and brought his complaint to our service for an independent review. He said he'd told ITI on several occasions how to complete the request. He said he'd held these shares through two other brokers and managed to receive the paper certificates for them. He also said he'd spoken to the registrar and former provider of issuer services who confirmed ITI could do it.

Our investigator looked into it and she said that ITI should do more to certificate the shares for Mr R and asked them to do so. She also felt ITI should compensate Mr R for the time taken and errors in communication. She asked them to pay him £400 compensation for this.

Whilst both parties seem to have accepted this, the issue is yet to be resolved. As such, Mr R has asked that we issue a decision on the matter.

## **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.

Firstly, I would like to empathise with Mr R. All he has been trying to do is have his shares materialised and certificated, as he was advised to do over two years ago.

Considering the time Mr R has spent on this, regardless of the value of the shares and the inconvenience this has caused him, I agree ITI should compensate him. He has accepted

the £400 suggested by the investigator and I agree this is a fair amount considering the impact this time has had on him. I am glad to see that ITI have already paid this to Mr R.

ITI have also agreed to provide Mr R with a paper certificate for the shares. However, as this was not completed as agreed, Mr R requested a decision on the matter. Which he is entitled to do.

ITI's more recent communications have confirmed this request is being worked on. However, they have made Mr R aware that as they are closing down their retail operations, they are working through many rematerialisation requests, for shares that can be traded with value. They have said this has resulted in Mr R's request being down the priority queue.

However, considering the time that Mr R has been waiting for this, regardless of the circumstances of the shares, ITI should now complete the request and provide Mr R with a paper certificate for his shares.

### **My final decision**

My final decision, for the reasons stated above, is that ITI Capital Limited should certificate the shares for Mr R, as he has requested. This is on top of the £400 that they have already paid him.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 12 April 2024.

Yoni Smith  
**Ombudsman**