

The complaint

Miss M complains that she was mis-sold a conditional sale agreement for a vehicle with Zuto Limited ("Zuto").

What happened

In March 2023 Miss M acquired a car via a finance agreement arranged by Zuto. Miss M says she was mis-sold the agreement because she was given incorrect information and the salesperson applied pressure and sales tactics in order for her to agree to taking the finance.

Miss M complained to Zuto, but her complaint wasn't upheld. In short Zuto said it had considered everything that had happened during the sales process, and it didn't think it had done anything wrong.

The complaint was referred to our Service and our Investigator looked into things. He said he had listened to the calls and from the information he had he didn't think the agreement was mis-sold so didn't suggest Zuto needed to do anything to put things right.

Miss M disagreed and said all the calls she had with Zuto hadn't been considered. She maintained she had been mis-sold the agreement. Because she didn't agree with our Investigator, the complaint has 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.

Having done so, I've reached the same overall conclusions as the Investigator, and for broadly the same reasons. If I haven't commented on any specific point, it's because I don't believe it affected what I think is the right outcome.

Our role is to assess what happens in the individual circumstances of a case, to decide whether any wrongdoing has occurred in this particular instance. That might be where pressure is wrongly put on a consumer, or information is not disclosed to them, or wrong information is given to them, which leads to some detriment.

I've listened to several calls Miss M had with Zuto, these have ranged from Miss M initially discussing her options to finance the car, to calling back and withdrawing from the agreement and subsequently, taking it out. I've also reviewed all the information we have on file, including Miss M's testimony and what she has said about what's gone wrong.

I am satisfied there was a process which Zuto followed, there are telephone calls and documents produced at various points and shared with Miss M. I can only comment on the fairness of the process in this specific case; in my opinion things are explained fairly to Miss M and I am not persuaded that Zuto pressured Miss M into taking out the finance agreement. There's no evidence of Miss M suffering any distress as part of the process and when she explains she doesn't want to go ahead with the agreement her statement is

accepted.

I agree, Miss M did call Zuto to cancel the agreement as she was told this was possible, but she also went on to explore taking out the finance for a different, much cheaper car. Miss M was told about the different options available to her and explained how taking out the finance could improve her credit score in the future if she kept up with the monthly repayments. Miss M specifically said she was given incorrect information, but I don't agree. Zuto set out what Miss M's financial commitments would be, I am satisfied she understood this because she discussed the monthly repayments, the term of the agreement and interest rates on more than one occasion.

Miss M was dealt with respectfully and calmly by the salesperson. I can see no evidence of aggressive sales tactics as Miss M describes. I am sorry if she felt any pressure from the process, but I can't see any evidence of pressure being applied. It's clear that Miss M was aware that she had the option to go ahead with the finance agreement but was also aware of her right to withdraw. As such and while I appreciate this will come as a disappointment to Miss M, I'm satisfied Zuto acted reasonably when discussing the finance with Miss M. I won't be asking Zuto to do anything more.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss M to accept or reject my decision before 22 April 2025.

Rajvinder Pnaiser
Ombudsman