

The complaint

Mr K has a joint mortgage with a person I'll refer to as "Mrs K". The mortgage is with TSB Bank plc ("TSB"). He complains that TSB applied a payment holiday to the mortgage without his consent.

What happened

Mr K has a joint repayment mortgage with Mrs K.

Mr K says he and Mrs K are divorcing. He says that he'd made TSB aware of the situation in early 2024. He told TSB the property was under dispute and that no changes should be made to the mortgage without his consent.

Mrs K contacted TSB in November 2024 to ask for a payment holiday. TSB says it tried to contact Mr K a number of times, but it was unable to get through to him. So it granted the payment holiday. Mr K is very unhappy about that. He says he asked TSB to cancel the payment holiday a number of times before it did on 20 January 2025. He says the payment holiday has caused him significant stress and health issues; and has resulted in additional debt that has had an impact on his credit file.

TSB looked into what happened. In its final response it said it hadn't done anything wrong.

Mr K remained unhappy, so he complained to the Financial Ombudsman Service.

Our investigator looked into what happened. He said he could see that Mrs K asked for the payment holiday on 22 November 2024. TSB tried to contact Mr K a number of times on 25 November 2024, but it didn't hear from him. So it approved the payment holiday. Our investigator said that TSB wrote to Mr K on 25 November 2024 to confirm that the payment holiday was approved.

Our investigator said that TSB spoke to Mr K on 5 December 2024. TSB's notes of that phone call indicate that Mr K was happy for the payment holiday to stay in place at that time. However Mr K contacted TSB again on 10 January 2025 to say that he wanted the payment holiday to be cancelled. TSB agreed to cancel the payment holiday and wrote to him to confirm that on 20 January 2025.

Our investigator said he didn't think TSB had made a mistake in the way it had handled this matter. He said he'd reviewed TSB's policy around payment holidays and what TSB had said about what had happened in this case. TSB said they were aware that Mr and Mrs K were in dispute. In such circumstances, its policy was to seek the approval of both parties to a change to the mortgage. However, in the event that it couldn't contact one party (as was the case here), its policy was to make a decision on the basis of risk. It said that in this instance it agreed to the payment holiday to ensure the mortgage didn't fall into arrears.

Our investigator didn't think TSB acted unreasonably when it did this. He said that it was open to Mr K to pay the mortgage if Mrs K didn't pay it during the payment holiday (thereby reducing any additional debt that the payment holiday might cause). He also said that the

evidence suggests that Mr K initially agreed to the payment holiday. After that he changed his mind and asked for the payment holiday to be cancelled. TSB acted on that request.

Mr K disagreed with our investigator's findings, so his complaint has been referred to me for a final decision. Mr K made a number of points I will consider below.

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 broadly the same conclusion as our investigator. I'll explain why.

I'll begin by saying that I understand why Mr K is annoyed by what has happened. He is the joint mortgage holder so he (along with Mrs K) is jointly and severally liable for the mortgage. There's no dispute that at the time Mrs K asked for the payment holiday TSB knew there was a dispute between him and Mrs K and that Mr K had asked that no changes were made to the mortgage without his consent. So I can understand why Mr K feels he should have been consulted about the payment holiday before it was granted.

However, I'm satisfied from the evidence provided that TSB tried to contact Mr K a number of times before it granted the payment holiday. TSB was required to consider the position of both its customers in relation to the mortgage. Mrs K had asked for the payment holiday and explained her circumstances for wanting it. Having considered the information TSB has provided me with, I can't say that it was wrong to give Mrs K the mortgage holiday she asked for. TSB has said it was keen to ensure the mortgage didn't fall into arrears – something it thought would happen without the payment holiday, and something that would have affected both Mr K and Mrs K as arrears would have been recorded on both their credit files.

Mr K thinks TSB acted unethically in this case. He has said he feels betrayed and aggrieved by what happened and that TSB listened to Mrs K but not him.

I don't underestimate Mr K's strength of feeling about this complaint. It's clear he thinks TSB acted against his wishes and that the issues raised in this complaint have had a significant effect on him.

I'm sorry to hear that, but I can't say TSB made a mistake here.

Mr K has said that Mrs K asked for the payment holiday when she knew he was travelling. I appreciate that, but I don't think that TSB would have known that at the time. I'm also conscious that TSB tried to call Mr K a few days after Mrs K first asked for the payment holiday. Mr K has said that there was no reason for the payment holiday decision to be taken when it was, as there were no issues with payment on the account. I understand Mr K's point of view. But I would expect TSB to act promptly to a customer's request for support. In this case it's clear that it thought the relevant monthly payment would not be made on time. As TSB had tried to get in touch with Mr K to speak to him before applying the payment holiday to the mortgage account I don't think it was wrong to apply it when it did.

Mr K has described how annoyed he was by TSB's actions in early 2025 when he told it the payment holiday should be cancelled. He says it refused to cancel it before consulting its legal team, infringing his rights as a co-owner of the property, and that he had to make eight requests for the payment holiday to be stopped. I have no doubt that he was extremely frustrated by that. But as I said above, TSB had to consider the rights and position of both

Mr K and Mrs K in relation to this matter. TSB was entitled to consult its legal team while it did that, so I can't say it made a mistake when it said it would do so before cancelling the payment holiday in January 2025.

Conclusion

I appreciate that Mr K is likely to be very disappointed by this decision. But taking the matter as a whole, I don't think TSB needs to do anything to resolve this complaint. I understand why Mr K has been frustrated by TSB's handling of the issues raised, but I can't say that it made a mistake when it applied the payment holiday to the account in November 2024 and cancelled it when it did.

My final decision

My final decision is that I don't uphold this complaint against TSB Bank plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 10 July 2025.

Laura Forster
Ombudsman