

## **The complaint**

Miss R complains that Capital One (Europe) plc applied charges to her accounts and sent harassing communications to her. She's also unhappy that she couldn't log into her online account and wasn't sent a replacement card.

## **What happened**

Miss R holds two credit cards with Capital One.

The Classic account was opened in February 2020 with a credit limit of £200. The Post Office account was opened in January 2021 with a credit limit of £200.

### Classic Account

Miss R's direct debit for the February and March 2025 minimum payments was returned unpaid. A late fee was applied to the account. Capital One sent emails and texts advising Miss R of the missed payments. On 17 March 2025 Capital One issued a Notice of Sums in Arrears.

### Post Office Account

In December 2024 Miss R reported her card as lost/stolen. A restriction was placed on the account which meant it couldn't be accessed online. In January, February and March 2025 Miss R's direct debit for the minimum monthly payments was returned unpaid. Late fees were applied to the account. Capital One sent texts and emails advising Miss R about the missed payments. On 17 March 2025 Capital One issued a Notice of Sums in Arrears.

Miss R complained to Capital One on 2 April 2025. She was unhappy that she couldn't log into her Post Office account online and said she felt harassed from all the communications that had been sent to her and the charges applied to the accounts. Miss R was also unhappy that she hadn't been sent a replacement card.

Capital One didn't uphold the complaint. It said the late payments charges had been correctly applied and it hadn't acted incorrectly by contacting Miss R about the accounts.

Miss R remained unhappy and brought her complaint to this service.

Our investigator didn't uphold the complaint. He said he hadn't found that Capital One had done anything wrong.

Miss R didn't agree so I've been asked to review the complaint.

## **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've reviewed the terms and condition for both accounts. These say that Miss R must make

at least the minimum monthly payment by the due date every month. The terms and conditions state that Capital One has the right to charge a fee if a payment is late or missed.

Miss R agreed to these terms and conditions when she took out the cards.

I've reviewed the history of both accounts. I can see that Miss R failed to make the minimum monthly payments on both accounts for two consecutive months in early 2025. Miss R doesn't dispute that she missed these payments and says she's aware that late payment fees will be charged, but she says that both cards had enough credit limit remaining to cover the minimum monthly payments and the late payment fees.

I understand that point that Miss R is making here. However, it's a requirement that the minimum monthly payment is made to the account (as opposed to being debited to the account) so it wouldn't be possible to manage the account in the way that Miss R has suggested.

I'm sorry to hear that Miss R felt harassed by the communications from Capital One. I've reviewed these. Capital One has an obligation to keep customers advised about the status of their accounts so I don't think it's unreasonable for them to send letters, emails and texts in circumstances where a payment has been missed. I can see that both of Miss R's accounts fell into arrears at the same time and communications were sent on both accounts. I appreciate that this must've felt like a lot of communication in a relatively short space of time but having reviewed the communications I'm satisfied that it wasn't excessive.

Miss R has said she's unhappy that she want sent a new Post Office card. I can see that Miss R reported the card as lost/stolen in December 2024 and again in January 2025. Capital One has explained that its process where a card is reported lost/stolen is to restrict access to the online account and ask the customer to contact the Fraud Team before it sends a new card. I can see that Capital One sent a text message to Miss R on 28 January 2025 asking her to contact them about her new card but I can't see that Miss R responded. If Miss R still wants a new card she should contact Capital One.

Taking all the available information into account I'm unable to say that Capital One has made an error or treated Miss R unfairly. I won't be asking them to do anything further.

### **My final decision**

My final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss R to accept or reject my decision before 25 August 2025.

Emma Davy  
**Ombudsman**