

complaint

Mr and Mrs W complain that National Westminster Bank Plc incorrectly registered a default on their credit file and on the wrong date. They also complain that NatWest didn't accept a payment arrangement to clear an outstanding balance on their account.

Mr W is representing his wife.

background

Mr and Mrs W held a joint current account with NatWest.

In 2010, NatWest sent a default notice to Mr and Mrs W as it says they had failed to clear the balance on their account.

In 2011, Mr and Mrs W complained to NatWest that their payment offer to clear the outstanding balance on their account was not accepted. This complaint was referred to this service and a final decision was issued which did not uphold Mr and Mrs W's complaint.

Mr and Mrs W complained to NatWest in 2014 that it had incorrectly registered a default on their credit file in 2012. NatWest responded to confirm that the default was registered in July 2011 but it should have been registered in March 2011 when the account was transferred to the recoveries department. NatWest amended the entry and apologised.

In 2016 Mr and Mrs W contacted NatWest again to complain about the date of the default on their credit file. NatWest responded to confirm that this had previously been addressed in 2014. It checked Mr and Mrs W's credit file and confirmed that the default date was still March 2011, which was correct. NatWest offered £50 as there was a 2 week delay in responding to the 2016 complaint.

The adjudicator was of the opinion that the default had been applied correctly.

Mr and Mrs W disagreed and the matter has been passed to me.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I do not uphold Mr and Mrs W's complaint.

I find that NatWest were entitled to default the account as Mr and Mrs W were unable to clear the outstanding balance. Whilst I sympathise with Mr and Mrs W's financial and personal situations, the circumstances leading up to the default has already been the subject of a final decision from this service.

NatWest sent Mr and Mrs W a default notice in November 2010. Looking the history of the account I can see that Mr and Mrs W were aware of the default notice as Mr W made contact with NatWest upon receiving the default notice.

I find that the default was registered against Mr and Mrs W's credit file within a reasonable time after the default. The amended date of registration of the default would not cause Mr and Mrs W any additional financial problems, as it did not affect the time the default would remain on their credit file. NatWest is entitled to register the default as this accurately reflects the status of the joint account so I can't fairly ask it to remove the default.

NatWest offered £50 for their delay in responding to Mr and Mrs W's letter in 2016 and I find that this is reasonable.

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 Mr and Mrs W to accept or reject my decision before 27 June 2016.

Geraldine O'Donnell
ombudsman