

complaint

Mr J and Mrs S say Bank of Scotland plc (trading as Halifax) mis-sold them payment protection insurance (PPI).

background

In 2002, Mr J and Mrs S took out a Total Mortgage Protection Plan (TMPP) alongside their mortgage. The plan provided life and critical illness cover for Mr J along with a type of PPI called mortgage repayment cover that covered both of them.

As Mr J and Mrs S haven't complained about the life and critical illness parts of the TMPP, I've only looked at whether the mortgage repayment cover was mis-sold to them.

Our adjudicator didn't uphold the complaint. Mr J and Mrs S disagreed with the adjudicator's opinion so the complaint has been passed to me.

my findings

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

We've set out our general approach to complaints about the sale of PPI on our website and I've taken this into account in deciding Mr J and Mrs S's case.

I've decided not to uphold Mr J and Mrs S's complaint because:

- Mr J and Mrs S applied for the PPI during a meeting. They say that they thought they had to have the cover to be offered the mortgage. Although Halifax hasn't got much paperwork to show how and when the PPI was presented to them, from what I know about its sales processes, I think it's likely that Halifax made Mr J and Mrs S aware that the PPI was optional and they chose to take it. I've not seen enough to say that Mr J and Mrs S weren't given a fair choice or that they didn't agree to buy it.
- Halifax recommended the PPI to Mr J and Mrs S, but it doesn't look as if it was unsuitable for them based on what I've seen of their circumstances at the time. Although Mr J and Mrs S told us they were financially stable and already had benefits similar to the kind the PPI provided, the cover would've paid out in addition to these. And I've not seen enough to say that the rental income they had from another property was guaranteed or that it would've been enough to cover this monthly mortgage repayment. So I think Mr J and Mrs S could still have found the PPI useful if they'd been made redundant or fallen ill.
- It's possible the cost of the PPI wasn't as clear as it should've been. But even if Halifax had explained the cost better, I think it's unlikely to have put Mr J and Mrs S off taking the PPI given the level and potential term of the benefit.
- It's possible Halifax didn't point out the main things that weren't covered. But from what I've seen of Mr J and Mrs S's circumstances, it's unlikely they would've been affected by any of these.

my final decision

For the reasons set out above, I don't uphold Mr J and Mrs S's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr J and Mrs S to accept or reject my decision before 8 February 2016.

Claire Marsh
ombudsman