

complaint

Mr C complains about the fee that Anthony Grant Clayton, trading as Wentworth Direct Finance, has charged him for its services.

background

Mr C asked Wentworth Direct Finance to find him a loan. It contacted him to confirm that a loan application had been successful, and, after confirming the terms of the loan, Mr C paid the broker's fee of £69.95. He did not receive the loan documentation and then received documentation for a loan on terms that were not acceptable to him. He asked for the return of his fee but it was not repaid to him. He complained to Wentworth Direct Finance but was not satisfied with its response so complained to this service.

The adjudicator recommended that this complaint should be upheld. He concluded that Mr C had not been introduced to a source of credit or obtained a loan so it was unreasonable for Wentworth Direct Finance to retain the fee. He recommended that it should refund the fee, with interest, and that it should pay £50 to Mr C to compensate him for the distress and inconvenience that he had been caused.

Wentworth Direct Finance has not responded to the adjudicator's recommendation.

my findings

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

Wentworth Direct Finance has not produced any evidence to show that it was entitled to collect or retain the fee from Mr C and it has not responded to the adjudicator. I therefore consider that it would be fair and reasonable for Wentworth Direct Finance to refund the fee, with interest, to Mr C and that it should pay him £50 compensation.

my final decision

For these reasons, my decision is that I uphold Mr B's complaint. In full and final settlement of it, I order Anthony Grant Clayton, trading as Wentworth Direct Finance, to:

1. Refund £69.95 to Mr C.
2. Pay interest on that amount at an annual rate of 8% simple from the date of payment until the date of settlement.
3. Pay £50 to Mr C to compensate him for the distress and inconvenience that he has been caused.

If Wentworth Direct Finance deducts tax from the interest element of my award, it should send Mr C a tax deduction certificate when making payment. He can then use that certificate to reclaim the tax if he is entitled to do so.

Jarrold Hastings
ombudsman