

## **complaint**

Miss I complains about charges Bank of Scotland plc (trading as Halifax) applied to her current account.

## **background**

Miss I had a current account with Halifax. In 2009 she got into financial difficulties, and her account went overdrawn in 2009. Her account was sent to recoveries in late 2010 and interest and fees were suspended. In 2012 Halifax sold the debt to a debt recovery agency. By then Miss I owed over £4,500, of which around £1,500 was made up of bank fees.

In June 2015 Miss I complained to Halifax that the bank fees were unfair. Halifax did not uphold her complaint, because the fees had been charged in line with the account terms and conditions. But as a gesture of goodwill it agreed to waive £1,250 of the outstanding debt. Miss I agreed. But when Halifax contacted the agency it found that Miss I had paid almost half of the debt, and the agency had written off the rest. So Halifax withdrew its offer.

Miss I thought that was unfair. She wanted Halifax to pay £1,250 directly to her. But our adjudicator did not agree. So Miss I has asked for an ombudsman to look into her complaint.

## **my findings**

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

By early 2013 Miss I had paid back just over £2,200. The debt collection agency wrote off nearly £2,350. That is the majority of the debt, and much more than the total amount of bank fees charged by Halifax. So not only were all the fees written off, but also some of Miss I's overdraft too.

Halifax didn't know that when it made its offer to Miss I. It thought she still owed money, and it was offering to help her to get out of debt. When Halifax learned what had happened, it wrote to Miss I four days later to withdraw the offer. I don't think that's unfair.

## **my final decision**

So my decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss I to accept or reject my decision before 23 November 2015.

Richard Wood  
**ombudsman**