

complaint

Miss W complains that Canada Square Operations Limited did not allocate payments correctly to her loan account and that the balance is £411.75 higher than it should be.

background

Miss W took a loan from the business, now known as Canada Square, in 2004. She defaulted on the loan in January 2007 and interest and charges were suspended. A debt management company made reduced payments to her loan on her behalf. The loan was subsequently assigned twice and is now owned by a different third party.

The adjudicator recommended that the complaint should be upheld. He said that:

- The complaint should be set up against Canada Square as it was the legal owner of the debt during the period Miss W complains about.
- The transactions summary of her loan between April 2007 and September 2007 fails to account for £411.75 of payments she made.
- No explanation had been provided for this and he considered as a result that this was an error.
- Canada Square should arrange for Miss W's debt to be reduced by £411.75 and make a payment to her of £50 for the aggravation and delay caused.

Canada Square did not agree and said, in summary, that it was no longer the legal owner of the debt and it had already referred Miss W to that third party owner so it could deal with 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.

I consider it appropriate that this complaint is made against Canada Square although I note that there have been other third parties that have since owned Miss W's debt.

Having made this finding I see that I have received no further information to show that Canada Square did not make an error when it accounted for Miss W's payments in 2007. I agree with the calculation of this error by the adjudicator and that this amount should be refunded together with the payment of compensation recommended.

my final decision

In light of the above, my decision is that I uphold this complaint and I order Canada Square Operations Limited to:

- 1) Arrange with the current legal owner of the debt for the balance of Miss W's loan to be reduced by £411.75
- 2) Pay Miss W £50.

Michael Crewe
ombudsman