

complaint

Mr L complains that Blackworth Group Ltd failed to settle his finance agreement when he part exchanged his car.

background

Mr L purchased a car in 2013 and entered into a finance agreement with Moneybarn. In 2017 Mr L part exchanged his car with Blackworth Group and entered into a new finance agreement.

Blackworth told Mr L that it had settled his finance agreement by sending a cheque to Moneybarn. Moneybarn told Mr L that it hadn't received payment from Blackworth and that the finance agreement was in default. Moneybarn ultimately repossessed the car and sold it at auction, leaving a balance due on the finance agreement.

The investigator upheld the complaint. She said that Blackworth had agreed to settle the finance agreement. She recommended that Blackworth pay the outstanding balance and compensation.

Blackworth hasn't replied to the investigator's uphold assessment, so I've been asked to make a final decision.

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've looked at the invoice provided by Blackworth when Mr L purchased his new car. This shows that the part exchange took place on 7 January 2017 and that Blackworth were involved in the finance arrangements.

I've also looked at the emails which passed between Mr L and Blackworth. These show that Blackworth was responsible for settling the finance agreement.

Moneybarn has confirmed that the outstanding balance is £2,219.88 and that no payment has been received from Blackworth. It has also confirmed that Mr L has paid £6.40 towards the outstanding balance.

Mr L has been worried about the implications of the default on his credit file and has spent several months trying to resolve this issue. So I think that in addition to paying the outstanding balance, Blackworth should pay compensation for the trouble and upset caused to Mr L.

my final decision

My final decision is that Blackworth Group Ltd must pay the outstanding balance of £2,219.88. Blackworth Group Ltd must also reimburse the sum of £6.40 to Mr L in respect of payments he has made towards the outstanding balance, together with compensation of £200.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr L to accept or reject my decision before 18 September 2017.

Emma Davy
ombudsman