

complaint

Mrs C complains that Cabot Financial (Europe) Limited (Cabot) incorrectly addressed letters to her. She isn't happy that it offset compensation against an outstanding debt. She would like compensation, an apology and copies of letters she didn't get sent to her.

background

Mrs C says she was embarrassed that letters Cabot sent to her went to a neighbour's house.

She says she raised this with the Information Commissioner's Office (ICO). She understands it wrote to Cabot asking it to resend the letters that were incorrectly addressed. But says Cabot hasn't done so.

As compensation she says Cabot reduced a debt it says she owes by £250. Mrs C insists she doesn't have an outstanding debt. And wants a cheque for £250 instead.

Cabot accepted it sent three letters to the wrong address. It apologised. And as compensation it reduced Mrs C's debt by £250. It felt it was reasonable to offset the compensation against this debt rather than issue a cheque.

Our adjudicator didn't uphold the complaint. He felt the £250 compensation Cabot paid for the distress and inconvenience of sending letters to the wrong address was fair. And that it was also fair to offset the compensation against Mrs C's outstanding debt.

Mrs C didn't accept this view. She insists she has no outstanding debt. So would like a cheque for £250. She says the letters haven't been resent to her correctly addressed as the ICO advised they should've been

my findings

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

Mrs C feels strongly about this. I realise she's going to be disappointed. I've reached the same conclusions as our adjudicator. And for much the same reasons.

There's no dispute that Cabot sent some letters for Mrs C to the wrong address. It has apologised. And said the most likely explanation is that it made a typographical error. I appreciate this must've caused Mrs C some embarrassment. Unfortunately mistakes do occur.

Cabot has apologised. And reduced Mrs C's debt by £250 as compensation which I believe is fair.

Mrs C isn't happy with this. She would prefer a cheque. She says she doesn't have an outstanding debt. I understand the outstanding debt was dealt with under a previous complaint to this service. So I don't feel it's appropriate for me to look at this issue again. Mrs C hasn't given us any information to show the debt is now settled. And Cabot says it has no evidence of this either. I don't feel it's unreasonable to offset the compensation against an outstanding debt. So I don't think I can reasonably ask Cabot to give Mrs C a cheque instead. Or to compensate her further.

Mrs C says she referred the issue of the letters going to the wrong address to the ICO. I've seen an email from the ICO which says it did contact Cabot. So I don't know why Cabot doesn't have any record of this. Mrs C says the ICO recommended that the letters be resent to her correct address. It's not clear to me if Mrs C either hasn't had them. Or has had them but the quality is so poor she can't read them. Our adjudicator has checked. Cabot says it re-sent the three letters it wrongly addressed to Mrs C by post. And by email. So I believe it did send them. I've asked Cabot to resend the three letters again by post. I don't think I can reasonably ask it to do any more

my final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs C to accept or reject my decision before 5 June 2017

Bridget Makins
ombudsman