

complaint

Miss A complains that Mercedes-Benz Retail Group UK Limited didn't give her correct direct debit details to the credit provider under her hire purchase agreement so her direct debits weren't paid.

background

A car was supplied to Miss A under a hire purchase agreement with a third party which was dated in March 2016. The credit broker for that agreement was Mercedes-Benz. Miss A complained to Mercedes-Benz in May 2016 that her direct debits hadn't been paid to the credit provider because Mercedes-Benz had given incorrect direct debit details to the credit provider. The credit provider agreed to remove any negative information about the missed payments from Miss A's credit file and to waive any late payment fees. And Mercedes-Benz sent some flowers to Miss A to apologise for what had happened. Miss A wasn't satisfied with its response so complained to this service. She says that she wants to be compensated for not being treated as a valued customer.

The adjudicator didn't recommend that this complaint should be upheld. She said that Mercedes-Benz had put right the error and apologised for what had happened and that Miss A hadn't suffered any financial loss. Mercedes-Benz had re-confirmed with the credit provider that any negative information was removed from Miss A's credit file and any late payment fees were waived. So she didn't think it was reasonable to recommend that Mercedes-Benz should pay any compensation to Miss A.

Miss A has asked for her complaint to be considered by an ombudsman. She says, in summary, that she's never had any discussion with Mercedes-Benz about flowers – and she wouldn't accept flowers as she's allergic to them. And she says that Mercedes-Benz offered her a credit of £150 as a goodwill gesture.

my findings

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

Mercedes-Benz accepts that it gave incorrect direct debit details to the credit provider – so her direct debit wasn't paid. It has apologised for that – and it has confirmed with the credit provider that no adverse information about the payments will be recorded on Miss A's credit file and that any late payment fees will be waived. So Miss A hasn't suffered a financial loss.

Mercedes-Benz has provided evidence to show that it sent flowers to Miss A as an apology. She says that she didn't receive them and wouldn't have wanted them as she's allergic to flowers. But I consider that it was an appropriate, and well intentioned, gesture by Mercedes-Benz. And I'm not persuaded that there's enough evidence to show that it also offered to credit £150 to Miss A as a gesture of goodwill.

It's not the role of this service to punish a business for mistakes that it's made. And I'm not persuaded that an award of compensation to Miss A in these circumstances is justified. So I find that it wouldn't be fair or reasonable for me to require Mercedes-Benz to pay any compensation to Miss A - or to take any other action in response to her complaint.

my final decision

For these reasons, my decision is that I don't uphold Miss A's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss A to accept or reject my decision before 10 April 2017.

Jarrold Hastings
ombudsman