

complaint

Mr T complains that the compensation Lex Autolease Ltd ("Lex") have offered him, as a result of poor service, is insufficient.

background

Mr T has been represented at times by Miss H but for ease I have referred to Mr T, who has the hire agreement with Lex, throughout this decision even though some of the actions I refer to will have been carried out by Miss H.

In August 2017 Mr T's car was stolen. The car was leased through a finance deal and he needed Lex's help to progress his insurance claim. But he's been very disappointed with Lex's response and their service since the robbery.

He complained to Lex that:

1. there had been a lengthy delay before they had sent the vehicle registration (V5) document to his insurance company
2. a letter confirming ownership of the vehicle was never sent to the insurance company as promised
3. Lex hadn't been able to explain their complaints procedure when asked about it
4. the service levels were poor and there was an unacceptable delay in receiving the balance of funds
5. they hadn't handling the complaint satisfactorily – they'd not responded quickly or kept him updated
6. he'd received demands for additional payments after he'd been told the account had been settled

Lex accepted that they hadn't managed things well. They provided £100 compensation in relation to points 1 & 2 and sent a bouquet of flowers, £250 in relation to points 3, 4 & 5 and a further £100 for point 6. And in relation to point 6 Lex also cleared off the remaining balance of the account – a sum of £305. They said that they'd paid £755 in total to compensate Mr T for the errors they'd made and whilst they understood this had caused significant distress they thought the compensation they'd paid was sufficient.

But Mr T didn't agree. He referred his complaint to this service and our investigator took a look at what had happened. She provided a detailed view on each of the issues that Mr T had complained about but overall she was satisfied that the compensation that had been offered was fair and reasonable in the circumstances.

But Mr T was still dissatisfied so he asked for a final decision by an ombudsman.

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 know it will disappoint Mr T but I agree with the investigator's view of this complaint and for the same reasons.

I've read and considered the whole file, but I'll concentrate my comments on what I think is relevant. If I don't comment on any specific point it's not because I've failed to take it on board and think about it but because I don't think I need to comment on it in order to reach what I think is the right outcome.

Mr T has had a terrible time here and needed stronger support from Lex. It must have been distressing for him to have received less than adequate assistance when he needed it most. So it's fair that Lex compensate him but I'm satisfied that the level of compensation he has received from the business is satisfactory.

I can see that he's had to spend significant amounts of time talking to Lex to obtain the information he required to progress his claim and that must have been very frustrating. The delays that he's experienced when trying to obtain the V5 and letter of ownership must have exasperated the situation and it's clear that when he wanted to complain, Lex should have been able to explain their process to him. It's hardly surprising that Miss H says this has affected her health and I hope she's now starting to feel a bit better.

I've considered if the compensation that's been provided is sufficient for the level of distress Mr T has experienced and I think it is. Whilst I can see that this delay has been distressing for him I have not seen evidence of any financial loss and the level of compensation is in line with decisions made by this service and those I've seen made by other financial businesses.

So whilst I have significant sympathy for the issues Mr T has experienced I think Lex has provided fair and reasonable compensation in the circumstances and I won't be asking them to take any further action.

my final decision

For the reasons I've given above I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 5 July 2018.

Phil McMahon
ombudsman