

## **complaint**

Mr B complains that Creation Financial Services Limited did not arrange the transfer of his credit card balance correctly.

## **background**

Mr B opened a credit card account with Creation Financial and instructed it to transfer two existing credit card balances to the new account. One balance was transferred correctly but a balance of £1,500 was not. Mr B complained to Creation Financial but was not satisfied with its response so complained to this service.

The adjudicator recommended that this complaint should be upheld. She concluded that Creation Financial was responsible for the balance transfer not being made correctly, that it did not take reasonable steps to correct its error and that it gave Mr B incorrect information.

She also concluded that it had not responded to his complaint correctly. She recommended that it should credit Mr B's account with £1,500 and refund any interest applied on that amount since 11 May 2011 (less £56.21 already paid). She also recommended that it should pay the interest charged on £1,500 by the other card provider from 11 May 2011 and should refund a £45 balance transfer fee. She recommended that it should also pay £300 compensation to Mr B.

Creation Financial says that it processed the balance transfer following Mr B's instructions and that the delay in the funds being returned was caused by a third party. It says that it is not liable for the delay and should not be compensating Mr B.

## **my findings**

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

Mr B has produced evidence to show that the instructions he gave to Creation Financial were correct. Creation Financial has not produced any evidence to show that those instructions were not correct. I therefore consider it to be more likely than not that the transfer was not made correctly because of Creation Financial's mistake. It has not accepted that it has made a mistake, it has continued to blame Mr B for the problems that have occurred and it has not taken reasonable steps to correct its mistake. It has also failed to comply with the dispute resolution rules.

Mr B has suffered a financial loss and been caused distress and inconvenience as a result.

I therefore consider that it would be fair and reasonable for Creation Financial to take the actions recommended by the adjudicator.

## **my final decision**

For these reasons, my decision is that I uphold Mr B's complaint. In full and final settlement of it, I order Creation Financial Services Limited to:

1. Credit Mr B's account with £1,500.

2. Refund to the account any interest applied on the £1,500 balance transfer since 11 May 2011 (less £56.21 that it has already refunded).
3. Refund to the account the £45 balance transfer fee.
4. Reimburse Mr B for the interest charged on the £1,500 by his original card provider, at an annual rate of 18.9%, from 11 May 2011 to the date of settlement.
5. Pay him £300 to compensate him for the distress and inconvenience that he has been caused.

Jarrold Hastings  
**ombudsman**