

complaint

Mr E complains about the way Credit 4 Cars Ltd ("C4C") dealt with his rejection of a car he bought on finance. He also complains C4C didn't refund his payments into the right account.

background

Mr E's unhappy with the customer service he received from C4C when rejecting his car. He says C4C's representatives were rude and aggressive towards him and his family. He also says he hasn't received a full refund of what he paid. He asked C4C not to refund the money into the accounts from which he'd originally paid, but he says it ignored his instructions.

C4C doesn't agree that it or its agents were rude or aggressive towards Mr E and his family. It says it refunded all of Mr E's payments, including an extra £50. C4C says it followed good practice by refunding Mr E's payments back to the accounts he'd paid from. It doesn't think it did anything wrong.

The adjudicator says she thinks C4C did enough to resolve Mr E's complaint by taking the car back and refunding his payments. She's satisfied it was reasonable for C4C to return the money to the same accounts Mr E had paid from. She doesn't think C4C had behaved inappropriately towards Mr E.

Mr E disagrees. He says he's been badly treated, left out of pocket and caused stress.

my findings

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

Mr E says it took a long time for C4C to take the car back and refund him. I've seen there were ongoing discussions between Mr E and C4C. It's clear that the relationship between Mr E and C4C had broken down, so it took time for the two parties to reach an agreement. But, I don't think that was anyone's fault. Mr E sent his phone bills for me to consider. I appreciate he says he spent a lot of time and money chasing C4C. But, I can only tell C4C to refund Mr E if I think it did something wrong. I don't think it did. So, I won't be asking C4C to refund Mr E for his calls.

I know Mr E strongly feels that C4C's representatives were rude and aggressive towards him and his family. I've considered the video of the car collection. I don't think C4C's agent was rude or aggressive. I note there was a police officer present. But, I don't think the police were called because of anything the agent did wrong. I've also considered the communication between C4C and Mr E. I can see that there were difficulties. But, I don't think C4C behaved rudely or aggressively.

I'm aware Mr E doesn't agree C4C refunded all of his payments. He sent us a document that he drafted, which both he and the collections agent signed. It refers to an outstanding £200 which was retained. Mr E says this shows C4C still owes him £200. But, C4C says it hasn't previously seen a copy of this document. And, I don't think that in signing the document, the agent was agreeing, on behalf of C4C, that there was an outstanding amount. I don't think he'd have known the details of what Mr E or C4C might have still owed each other.

I've seen C4C originally told Mr E that it would keep £200 for damage to the car. But, its records show it later decided to refund all of Mr E's payments. I've carefully considered what's been refunded. And, from what I've seen, I'm satisfied that C4C refunded everything he paid. In fact, I note that it refunded an additional £50 that isn't recorded as being paid.

Mr E also says he paid £250 cash to have the car delivered. C4C says it didn't charge a delivery fee – and I haven't seen anything to demonstrate otherwise. Mr E hasn't been able to send a record of this payment. In the circumstances, I won't be asking C4C to refund this.

I appreciate Mr E asked C4C to refund his money into a specific account. He says he wanted to avoid the money being swallowed up by an overdraft that was in dispute at the time. But, I'm satisfied C4C acted appropriately by refunding the accounts from which Mr E had originally paid.

I agree with the adjudicator. I've seen nothing to persuade me that C4C did anything wrong.

my final decision

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr E to accept or reject my decision before 11 April 2016.

Loucia Kyprianou
ombudsman