

complaint

Mr E complains that Lloyds TSB Bank Plc has not done enough to assist him with his financial difficulties and he is unhappy with the contact he has had from its debt collection agents.

background

Mr E was made redundant in March 2010 and no more credits were received to his current account. Payments took his account over the limit. Lloyds TSB says it was unable to agree a repayment plan. Interest and charges were suspended in October 2010 and debt collection agents appointed to collect the debit. Action was suspended as Mr E said he had funds due to repay the debt. A payment plan was then agreed although this was not kept to. Lloyds TSB appointed other debt collection agents and no further payments have been made.

The adjudicator did not recommend that the complaint should be upheld. She did not consider that it was unreasonable for Mr E to be contacted about the outstanding debt. She did not consider that it was necessary for Lloyds TSB to put recovery action on hold permanently. She suggested that Mr E contact Lloyds TSB about repaying the debt and provided details of independent debt advice agencies.

Mr E did not agree. He said he did not want to speak to Lloyds TSB and this was the reason he referred his complaint to this service. He said he does not disagree that he owes Lloyds TSB money but that he has no ability to pay.

my findings

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

I have reviewed the details of the contact between Lloyds TSB and its agents and Mr E. This sets out the calls and letters he has been sent. There have been attempts to agree an acceptable repayment plan but, it seems Mr E remains unable to make any payments. At times he has said that he would be due funds and recovery action has been stopped for a period. I do not consider that the level and nature of the contact has been unreasonable.

I can see that Lloyds TSB has suspended interest and charges. I cannot reasonably require it to do anymore. I would expect it to consider fairly any plans that Mr E has to repay the amount outstanding. I am afraid I do not consider it unreasonable that it remains in regular contact with him whilst there is no repayment plan in place.

I appreciate that this will come as a disappointment to Mr E.

my final decision

In light of the above, my final decision is that I do not uphold this complaint.

Michael Crewe
ombudsman