

complaint

Mr and Mrs M complain that National Westminster Bank Plc lost the deeds to their house. They say that it took a long time to rectify the error, which caused them stress and inconvenience. And they say that NatWest has not compensated them adequately for their time. They want NatWest to pay them a further £1,115.

background

Mr and Mrs M paid off their mortgage in November 2015. And they asked NatWest to send them the house deeds. But in February 2016, NatWest wrote to them to let them know it had lost the deeds. NatWest apologised, and appointed solicitors to register the property at HM Land Registry at NatWest's expense.

Mr M wanted NatWest to pay him an hourly rate for his time in assisting with the registration process. But NatWest didn't agree. Instead, it paid Mr and Mrs M £100 compensation for the inconvenience they had been caused.

An application for first registration was lodged in June 2016. And the registration was completed by HM Land Registry in October 2016. But the register entries referred to the loss of the deeds. For this reason, NatWest offered to put in place indemnity insurance to cover any resulting risk to Mr and Mrs M. This was done by the beginning of November 2016.

Our adjudicator agreed that the situation must have been very stressful for Mr and Mrs M. And she said that, if NatWest hadn't lost the deeds, they wouldn't have had to spend time dealing with the issue. She recommended that NatWest should pay Mr and Mrs M an additional £100 compensation to recognise the time and effort they had had to spend.

NatWest has agreed to pay the additional compensation to Mr and Mrs M. But Mr and Mrs M do not agree with the adjudicator's view. They say, in summary, that £200 does not make up for the stress and inconvenience they have suffered, or for the time spent. And they say that it doesn't act as a deterrent to NatWest.

my findings

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

NatWest has accepted that it made an error. And it has taken steps to put things right by appointing lawyers who have registered the property at HM Land Registry. It has also put in place indemnity insurance to cover any risk resulting from the reference to the lost deeds on the Land Registry entry.

I note that Mr and Mrs M feel that it took a long time for NatWest to rectify the situation. But, having examined the timeline, I'm not persuaded that the time taken was unreasonable in the circumstances. NatWest says, and I accept, that the process that had to be followed was quite complicated.

I agree that the loss of the deeds must have been stressful for Mr and Mrs M. And I also agree that they wouldn't have needed to spend time dealing with the matter if NatWest hadn't lost the deeds. NatWest has paid Mr and Mrs M £100, and our adjudicator has

recommended that it should pay an additional £100 in recognition of the time they have spent.

I appreciate that Mr and Mrs M don't feel that the compensation offered is sufficient. And they feel that it doesn't act as a deterrent to NatWest not to make the same error in future. But the role of this service is not to punish businesses, but to decide what is fair and reasonable in the circumstances of each case. And, having considered the circumstances carefully, I'm persuaded that an additional £100 compensation is fair and reasonable.

my final decision

My decision is that I uphold this complaint. I order National Westminster Bank Plc to pay Mr and Mrs M £100 in addition to the £100 it has already paid.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs M to accept or reject my decision before 1 March 2017.

Alison Cribbs
ombudsman