

complaint

Mr H complains that Pentagon (UK) Limited (trading as EuroDebt Financial Services) mis-sold a debt management plan to him because its representative wrongly told him that after three years, all his debts would be written off.

background

Mr H entered into a debt management plan with EuroDebt in January 2010. He says he was persuaded to do so by its representative, who told him that after three years on the plan, his remaining debt would be written off. When he contacted EuroDebt in 2013 to ask it about this, it told him that there was no such term in his plan.

Our adjudicator did not recommend that this complaint should be upheld. She said that the agreement Mr H signed in 2010 did not guarantee that his debts would be written off after three years. In addition, a welcome letter sent to Mr H in 2010 said that the estimated duration of his plan would be 252 months.

Mr H had said that EuroDebt's representative told him to disregard the duration terms in his agreement. However, there was insufficient evidence for her to conclude that the representative said this, or misrepresented the way the plan operated. EuroDebt appeared to have carried out the plan correctly according to its terms, and so she could not recommend that it refund the fees Mr H had paid.

Mr H responded to say, in summary, that he had not received the welcome letter stating the estimated duration of his plan. If he had, he would have questioned the statement immediately. He also questioned why this important information did not appear elsewhere in the papers he had received from EuroDebt.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint. Having done so, I find that I have come to the same conclusions as the adjudicator, and for broadly the same reasons.

The agreement Mr H signed does not contain any term suggesting that his debts would be written off after three years or any other period. EuroDebt has produced a letter it says it sent to Mr H in March 2010 saying that the expected length of the plan was 252 months. Although Mr H says he did not receive this letter, I conclude, like the adjudicator, that it is likely that EuroDebt did send it.

I appreciate that Mr H believes strongly that EuroDebt's representative told him his debts would be written off after three years. However, in the absence of any written evidence to support this, I cannot safely conclude that the representative did so.

my final decision

For the reasons I have set out above, my decision is that I do not uphold this complaint.

Lennox Towers
ombudsman