

## **complaint**

Mr and Mr C complain about the way National Westminster Bank plc dealt with the repayment of the overdraft on their joint business account. They want a refund of bank charges and compensation for distress and inconvenience.

## **background**

Mr and Mr C were a father and son in partnership but the father had retired. They still had a joint business account with an overdraft facility. The overdraft expired and the bank wanted the debt repaid. Mr C junior was unhappy that the bank wouldn't accept his proposals to repay the debt. He was also unhappy about the way the bank had handled the management of the account.

The adjudicator didn't uphold the complaint. He said the bank wasn't under an obligation to extend the overdraft. It'd given Mr C junior time to make proposals to repay the debt. The repayment terms were a commercial decision for the bank.

Mr C junior felt the bank's requirement for future income projections was unreasonable as he was self-employed and couldn't easily predict this. He felt the conditions for repayment were unreasonable. He felt stressed by the bank's handling of the debt and angry that he needed to borrow money from a family member to repay it.

## **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 think it was a commercial decision for the bank to decide whether or not to renew the partnership's overdraft facility when it expired. It's also for the bank to decide the terms it's willing to accept for repayment of debt. I can see from the bank's file and listening to calls that it gave Mr C opportunities to make proposals. I have seen copies of the letters it sent to both Mr C junior and senior at their business address advising what it intended so I think it did all it needed to. While I can understand that Mr and Mr C are frustrated I don't think the bank did anything wrong.

## **my final decision**

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr and Mr C to accept or reject my decision before 7 September 2015.

Colette Bewley  
**ombudsman**