

complaint

Mr and Ms T make a number of complaints about the administration of their mortgage GE Money Home Lending Limited ('GEMHL')

background

In 2007 Mr and Ms T took out an interest-only mortgage with GEMHL. They fell into arrears and GEMHL started legal proceedings for possession through GE Money Home Finance Limited ('GEMHF'). It obtained a possession order in 2012.

They make various complaints about GEMHL's administration of their mortgage: (1) there is a discrepancy between its address on the mortgage deed and in the title register; (2) there is a discrepancy between their property's address on the mortgage deed and in the title register; and (3) GEMHF is not authorised to administer their mortgage on behalf of GEMHL as it cannot 'hold client money'.

The adjudicator did not recommend that any of these complaints should be upheld.

Mr and Ms T have also made an unsuccessful application to the Land Tribunal about the validity of their mortgage.

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 taken careful note of the lengthy submissions made by Mr and Ms T since the adjudicator's letter – but I regret these do not persuade me to uphold the complaint.

There is no requirement for GEMHL's address to be identical on both the mortgage deed and in the title register. It is quite possible for its address to have been changed or modified between the date of the mortgage itself and the actual registration – and any such variation does not invalidate the mortgage itself.

GEMHL is the lender as shown on the mortgage deed and on the title register. The mortgage is serviced by GEMHF.

Any discrepancy in Mr and Ms T's property address between the mortgage deed and the title register should be raised by them with their conveyancing solicitors in the first place; this is not the responsibility of GEMHL (who in any event received confirmation of that address from those solicitors).

Finally, I am satisfied that GEMHF is the authorised representative (and/or trading name) of GEMHL and - whatever advice Mr and Ms T may have received from the Financial Conduct Authority on this issue – they should make their mortgage payments to their mortgage provider or its authorised representative. This does not breach any issues as to 'holding client money'.

my final decision

I do not uphold this complaint.

Charles Sweet
ombudsman