

complaint

Mr A complains that Santander UK plc wrongly applied charges to his account. And put adverse information on his credit file. He wants charges of £927 refunded. His credit file amended. And compensation for distress.

background

Mr A says in 2011 he told Santander he was a student. So he shouldn't have an overdraft fee on his account. And says he asked for the account to be put on hold to give him time to pay off the outstanding balance. He says Santander told him if he gave proof of being a student charges would be reversed. And he would have nothing to pay. He says he was very surprised to find out years later there was an outstanding amount of £927 on the account. And a default had been put on his credit file.

Santander says the account was overdrawn by £353.72 in October 2011. The account was no longer used after this time. But fees accrued leading to a balance of £927. Santander says it has no evidence that Mr A was a student. Or that he applied for a student account. Santander says the charges were applied correctly. And the default applied to the credit file in May 2012 was an accurate reflection of the account. As a goodwill gesture to try to resolve the complaint Santander has removed charges of £541. This covers the charges applied to the account from when Mr A says he asked Santander to put his account on hold.

my provisional conclusions

I issued a provisional decision on this complaint. I decided:-

- Santander applied charges to Mr A's account. From the terms and conditions I saw nothing to show these hadn't been applied correctly.
- I didn't find any evidence that Mr A told Santander he was a student, that he wanted the account to be put on hold or that Santander told him his charges would be waived.
- I found Santander had reduced the amount owing by £541. I thought this was reasonable. It covered the charges from when Mr A says he told the bank he was a student.
- Santander did put a default on Mr A's credit file. But it did give Mr A a reasonable amount of time to sort his finances out before it did this. And it did write to him several times about his account. I thought the default was an accurate reflection of Mr A's account so I didn't think it was reasonable to ask Santander to remove it.
- Mr A didn't give us any evidence that he's been unable to get credit because of the default Santander put on his credit file.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. While I realise Mr A will be disappointed, I've reached the same conclusions as I did in my provisional decision.

I can understand Mr A's frustration. He feels the default Santander put on his credit file is giving him problems. But he hasn't given us any evidence of this. I think the default is an accurate reflection of Mr A's account. And I think Santander were reasonable to reduce the amount owing by a significant amount.

Mr A hasn't come back with any new information for me to consider. So I see no reason to alter my view.

my final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 19 August 2016

Bridget Makins
ombudsman.