

complaint

Mr P is unhappy with how Creation Financial Services Limited has handled his accounts during a period of financial difficulty. In particular Mr P doesn't think Creation has been sympathetic enough to him due to the mental health issues he suffers with.

background

Mr P raised a formal complaint with Creation. He is unhappy with the fact his accounts were passed between collection agencies, and that he was sent numerous default notices and letters which contained conflicting information in them. He says this correspondence caused him a great amount of stress. He doesn't think Creation made reasonable adjustments in light of his disability.

Creation looked at this complaint. Overall they felt they'd acted fairly and so didn't uphold the case. Creation has told our service they weren't made aware of Mr P's financial difficulties for quite some time. And that it was only right for them to send regular letters to Mr P advising him of the arrears on the accounts.

An investigator has already looked at this case. She felt that Creation had acted reasonably and so didn't uphold the case. Having considered all the evidence she was of the opinion that Creation had made reasonable efforts to contact and help Mr P. And she didn't think it was fair to ask them to write off Mr P's outstanding debt.

As Mr P remains dissatisfied, this complaint has now been passed to me to look at. Further evidence has been provided to our service by both Mr P and Creation. I've carefully reviewed all of this.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Whilst I've looked at all the evidence, this decision will focus on what I think are the key issues in dispute.

I'm afraid just like the investigator I too won't be upholding this complaint or asking Creation to do anything further. I don't believe Creation acted incorrectly by approving Mr P's credit card applications and allowing him to open the accounts. Just because Mr P had been made bankrupt some time prior, I don't think this is a sole reason to decline an application for credit. I note Mr P's further submissions about his bankruptcy and additional checks being required, but I still think Creation has acted reasonably.

Once the accounts were open, I think Creation acted fairly in how they addressed matters. It appears Mr P cancelled a direct debit and, at times, Creation struggled to get in touch with him. I can see the accounts were passed around but I note at the moment a specialist team is looking after Mr P's accounts. I think this team is well equipped to deal with cases such as Mr P's and offer the best support going forward.

Mr P has expressed his dissatisfaction at being asked to provide Creation with details about his income and expenditure. Even if Mr P has previously provided this information, I don't think it's unreasonable for them to review this from time to time to monitor his affordability. I would urge Mr P to co-operate with Creation going forward in doing this.

I do understand that this has been incredibly stressful for Mr P and receiving certain correspondence from Creation has been upsetting. Indeed Mr P has told our service when unwell he didn't open post at times. But Creation hasn't acted unfairly or unreasonably. The correspondence that I've seen clearly explains the arrears on the account and explains what Mr P should do if he's unable to make payment.

Creation has advised our service that Mr P never told them about the difficulties he experienced on the phone. As such they say they couldn't make the required reasonable adjustments. However I'm pleased to see that they'll ensure the necessary adjustments are made going forward.

Overall I think the actions of Creation have been fair. I don't think it's unreasonable for them to want information concerning Mr P's income and expenditure and to then review this. I won't be asking Creation to write off Mr P's outstanding debt or award any compensation. If Mr P didn't feel able to speak with Creation on the phone he could have communicated with them in writing instead. I'm satisfied I've seen evidence of Creation trying to help Mr P. And this includes applying no interest or fees to his accounts since December 2017. I therefore won't be upholding Mr P's complaint.

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 P to accept or reject my decision before 6 June 2020.

Robyn McNamee
ombudsman