

#### complaint

Mr and Mrs O have complained about the charges Haydon Associates Debt Management Consultants Ltd (trading as Resolve Money Matters) applied to their debt management plan (DMP).

#### our initial conclusions

Our adjudicator recommended that the complaint should be upheld, and that Mr and Mrs O be repaid £700 plus interest, and £100 compensation. Haydon didn't respond.

#### my final decision

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. I can see that Mr and Mrs O were already in a DMP when Haydon approached them. I accept Mr and Mrs O's explanation that they only changed plans because Haydon indicated it would 'halve their debts'. They then realised this wasn't happening. Between June 2014 and April 2015, I can see they paid Haydon £800. Of this, Haydon paid £100 to creditors – all being around £1 token payments. It seems the rest was kept in fees. I don't think Haydon should fairly keep any of the £700, as I don't think it did what it said it would in managing Mr and Mrs O's debt. I also think Mr and Mrs O were caused trouble and upset by this, and £100 is fair to address this.

It's my final decision to uphold this complaint. Haydon Associates Debt Management Consultants Ltd (trading as Resolve Money Matters) must refund £700 to Mr and Mrs O, plus 8% simple interest a year, from the date of each undistributed payment to the date of settlement. It must also pay £100 compensation.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr and Mrs O either to accept or reject my decision before **4 December 2015**.

**Elsbeth Wood**

ombudsman at the Financial Ombudsman Service

The ombudsman may complete this section where appropriate – adding comments or further explanations of particular relevance to the case.

ombudsman notes

N/A

what is a final decision?

- A final decision by an ombudsman is our last word on a complaint. We send the final decision at the same time to both sides – the consumer and the financial business.
- Our complaints process involves various stages. It gives both parties to the complaint the opportunity to tell us their side of the story, provide further information, and disagree with our earlier findings – before the ombudsman reviews the case and makes a final decision.
- A final decision is the end of our complaints process. This means the ombudsman will not be able to deal with any further correspondence about the merits of the complaint.

what happens next?

- A final decision only becomes legally binding on the financial business if the consumer accepts it. To do this, the consumer should sign and date the acceptance card we send with the final decision – and return it to us before the date set out in the decision.
- If the consumer accepts a final decision before the date set out in the decision we will tell the financial business – it will then have to comply promptly with any instructions set out by the ombudsman in the decision.
- If the consumer does not accept a final decision before the date set out in the decision, neither side will be legally bound by it.